

S  
344.046  
E12fsnr  
1999

**FINAL STATUS  
OF  
NATURAL RESOURCE  
LEGISLATION  
IN THE  
56TH MONTANA  
LEGISLATURE**

STATE DOCUMENTS COLLECTION



MONTANA STATE LIBRARY  
1515 E. 6th AVE.  
HELENA, MONTANA 59600

**September 1999**

Prepared by the  
**Montana Environmental Quality Council**

MONTANA STATE LIBRARY



**3 0864 0014 5594 1**

# Montana Environmental Quality Council

## House Members

Paul Clark  
Kim Gillan, Vice-Chair  
Monica Lindeen  
Doug Mood  
Bill Tash  
Cindy Younkin

## Senate Members

Mack Cole  
Bea McCarthy  
William Crismore, Chair  
Ken Mesaros  
Barry (Spook) Stang  
Jon Tester

## Public Members

Julia Page  
Jerry Sorensen  
Howard Strause  
Tom Ebzery

## Governor's Representative

Julie Lapeyre

## EQC Staff

Legislative Environmental Analyst  
Resource Policy Analyst  
Resource Policy Analyst  
Resource Policy Analyst  
Research and Publications

Todd Everts  
Krista Lee  
Larry Mitchell  
Mary Vandenbosch  
Maureen Theisen

P.O. Box 201704  
Helena, Montana 59620-1704  
(406) 444-3742



## Foreword

During the 56th legislative session, House and Senate members introduced 1,281 pieces of legislation. Though not a historically high number, the passage of Constitutional Initiative No. 75 (CI-75) in 1998, intended to give citizens the right to vote on fee and tax increases, did raise the overall number of bills generated during the 1999 session. The portions of many pieces of legislation that contained fee increases were introduced as separate bills so that the increases could be voted on in the November 2000 election. All of these fee bills were rendered moot without going through the entire legislative process because of the Montana Supreme Court's midsession ruling of CI-75's unconstitutionality. You will see several of them (for example, House Bill No. 159 and Senate Bill No. 123) that relate to natural resource legislation presented throughout this publication.

Some of the 1999 legislative session's successful natural resource bills are summarized and listed by category below. The bills are described more fully within the publication.

### **Agriculture, Livestock and Weed Management**

*HB 373* establishes a petition process for annexing contiguous properties into an existing herd district.

*SB 164* revises the noxious weed management laws and provides for increasing the cap for the Noxious Weed Management Trust from \$2.5 million to \$10 million; revises the membership of the advisory council; and transfers \$1.124 million each year of the 2001 biennium from the highway nonrestricted account to noxious weed management programs.

*SB 342* creates the Montana Agricultural Heritage Program and authorizes the state and approved nonprofit organizations to purchase conservation easements on agricultural and forested lands.

*SB 361* changes use of the term "game farm" in state law to "alternative livestock ranch"; increases annual license renewal fees; and, among other requirements, calls for the adoption of a programmatic review process to

assess the environmental impacts associated with a new alternative livestock ranch.

### **Fisheries, Wildlife and Recreation**

*HB 626* revises the laws relating to conflicts between recreational users of Montana waters. It expands the purposes for which the Fish, Wildlife and Parks Commission may adopt and enforce rules governing recreational use of waters; authorizes the commission to adopt rules governing the operation of personal watercraft as well as the resolution of conflicts between users of motorized and nonmotorized boats; increases the distance that motorboats must give way to anglers, waterfowl hunters and divers from 50 feet to 75 feet; revises the laws related to operation of personal watercraft (e.g., jet skis), increases the no-wake zone to 100 feet on lakes and 50 feet on rivers and prohibits personal water craft on sections of the Missouri River.

*HB 629* directs the Department of Fish, Wildlife and Parks (DFWP) to study the use of the Blackfoot River and report the study findings to the next Legislature.

*HB 647* creates the Bull Trout and Cutthroat Trout Enhancement Program to encourage voluntary improvement of spawning areas. The program will be funded in part from interest on the Resource Indemnity Trust Fund.

*SB 98* extends the DFWP instream flow leasing program for another 10 years. It also increases the maximum period for leasing water from a water conservation or storage project and the number of stream reaches on which leasing may be allowed.

*SB 171* requires permission from landowners for all hunting on private property.

### **Land Use/Growth Management**

*SB 95* authorizes counties to contribute to costs of development and maintenance of municipal infrastructure.

*SB 96* modifies provisions governing protest of changes to municipal zoning regulations, making it slightly more difficult to protest a change and reducing the supermajority required to override a protest.

*SB 97* changes the terms "master plan" and "comprehensive plan" to "growth policy;" establishes minimum requirements for growth policies (adoption of growth policies continues to be optional); specifically authorizes adoption of a neighborhood plan when a growth policy has been adopted for the entire jurisdictional area; authorizes exemption from review of public interest criteria for subdivisions in specified geographic areas if growth policy and zoning regulations are in place (local option); and authorizes delegation of certain subdivision "advice" duties from planning boards to staff.

### **Montana Environmental Policy Act (MEPA)**

*HB 142* limits a court's scope of review of new evidence during a lawsuit and exempts significant decisions affecting school trust lands from MEPA.

*SJR 18* asks the EQC to study the utility and effectiveness of MEPA.

### **Mining**

*SB 265* provides for exploration incentive credits for mineral and coal exploration and provides for a tax deduction for donated exploration information.

*SB 345* exempts certain mines from the ban on cyanide heap and vat leach ore processing.

### **Water**

*HB 392* gives the Statewide Total Maximum Daily Load (TMDL) Advisory Group a greater role in providing advice to the Montana Department of Environmental Quality on water quality monitoring and assessment and listing of threatened and impaired waters in addition to its current role of prioritizing water bodies for TMDL development.

*HB 458* temporarily requires the EQC to study policies and programs related to riparian corridor management, evaluate best management

practices (BMPs) in riparian corridors and share the information about BMPs and the study results with other groups.

SB 72 revises the public water supply laws.

SB 499 amends the Montana Water Quality Act in response to a disapproval letter from the U.S. Environmental Protection Agency. Specifically the bill establishes short-term turbidity standards and amends the following provisions of the Water Quality Act: the nondegradation significance criteria, activities for which short-term exemptions from water quality standards may be authorized, the nondegradation requirements for outstanding resource waters, and exclusions from permit requirements for discharges of wastes or sewage into ground water.

\*\*\*\*\*

The Environmental Quality Council (EQC) prepared the *Final Status of Natural Resource Legislation in the 56th Montana Legislature* to provide a brief summary of natural resource legislation for legislators, lobbyists and the public. The bills in the status are organized by subject, number and status (passed or failed), with House bills listed before Senate bills. Each bill entry includes the bill number, short title, committee hearings, and relevant votes. Several bills are included in more than one category.

For further information on these bills or others, consult the Legislative Council's publication *Final History and Status*, which contains all legislative action taken on all bills.

The Montana Environmental Policy Act, enacted in 1971, charges the EQC with researching and reviewing state regulations and policies affecting Montana's environment and recommending measures to promote the general welfare of present and future generations of Montana. For more information on EQC publications and activities, contact the Environmental Quality Council, Legislative Environmental Policy Office, P.O. Box 201704, Helena, MT 59620, (406) 444-3742.

# Table of Contents

Foreword .....	i
Agriculture and Livestock .....	1
Air Quality .....	24
Energy .....	27
Major Facility Siting Act .....	27
Renewable Energy and Conservation .....	28
Utility Restructuring .....	31
Energy/Other .....	39
Environmental Quality .....	41
Administration .....	41
Montana Environmental Policy Act (MEPA) .....	63
Fish and Wildlife .....	66
Hunting, Trapping, Fishing, Outfitting and Wildlife Protection .....	66
Fish and Wildlife/Other .....	102
Forestry .....	105
Land Use .....	111
Eminent Domain .....	111
Local Government Regulation/Management .....	114
Parks and Recreation .....	136
State and Public Lands .....	151
Takings/Private Property Rights .....	165
Land Use/Other .....	168
Mineral Development .....	171
Exploration, Operation and Reclamation .....	171
Local Impact Mitigation .....	181

<b>Solid and Hazardous Waste and Hazardous Materials Management</b>	182
Hazardous Materials Management	182
Hazardous Waste	192
Solid Waste	193
<b>Taxation of Minerals and Allocation of Mineral Revenues</b>	200
Mineral Tax Rates	200
Allocation of Mineral Tax Revenues	205
<b>Water</b>	212
Appropriation and Adjudication	212
Development and Irrigation	217
National and Interstate	220
Stream Access	222
Water Quality	222
Water/Other	232
<b>Weed and Pest Control</b>	234
<b>June 1999 Special Session</b>	239

# Agriculture and Livestock

See also Weed and Pest Control

Passed

◆ HB 232 Sam Rose

## *Revise Laws Related to Commercial Feed*

An act generally revising laws related to commercial feeds; creating and revising applicable definitions; clarifying the Department of Agriculture's rulemaking authority; making publication of the department's report on commercial feed discretionary rather than mandatory; revising licensing procedures and labeling requirements; revising the criteria for determining what constitutes adulterated feed; clarifying prohibitions and revising penalties; providing for deposit and expenditure of administrative penalty fees; revising enforcement procedures; clarifying provisions regarding confidentiality of information; and providing an applicability date.

Amending sections 80-9-101, 80-9-103, 80-9-105, 80-9-201, 80-9-202, 80-9-204, 80-9-205, 80-9-206, 80-9-207, 80-9-301, 80-9-302, 80-9-303, and 80-9-304, MCA.

Committee Hearings:

House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes:

House 95-3; Senate 50-0

Third Reading Votes:

House 92-4; Senate 49-0

Senate amended, House concurred, 85-14.

◆ HB 284 Bob Story

*Revise Conservation District Laws*

An act revising laws governing Conservation Districts; providing immunity to Conservation Districts and their supervisors and employees; authorizing Conservation Districts and other political subdivisions to satisfy a settlement using funds authorized by 2-9-316; authorizing Conservation Districts to execute their duties and responsibilities relating to streambed preservation under the procedures of Title 76, chapter 15; authorizing Conservation Districts to be involved in the development of various water projects; authorizing Conservation Districts to apply for, accept, and expend funds, grants, and loans; and providing an immediate effective date and a retroactive applicability date.

Amending sections 2-9-316, 76-15-320, 76-15-403, and 76-15-501, MCA.

Committee Hearings:

House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes:

House 87-13; Senate 49-0

Third Reading Votes:

House 87-11; Senate 49-0

◆ HB 373 Cindy Younkin

*Clarify Herd District Laws--Annexation into Existing Herd District*

An act clarifying herd district law by establishing a petition process for annexing contiguous properties into an existing herd district.

Amending section 81-4-301, MCA.

Committee Hearings:

House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes:  
Third Reading Votes:

House 87-10; Senate 49-0  
House 90-9; Senate 49-0

♠ HB 444 Bill Thomas

*Revise Certain Provisions of the Grass Conservation Act*

An act revising certain provisions of the Grass Conservation Act; creating the Montana Grass Conservation Commission; prescribing the membership and duties of the commission; transferring primary administration of the Grass Conservation Act from the Department of Natural Resources and Conservation to the Montana Grass Conservation Commission; revising definitions; revising the administrative fee for implementing the Grass Conservation Act from 15 cents per animal unit to 10 cents per animal unit month of preference; eliminating the 40-year limit on the term of incorporation of a state grazing district; requiring update and review of the bylaws of incorporated state districts; allowing certain members of a district that is being liquidated to meet the highest bid on district assets; revising district voting procedures; and revising procedures for and increasing the fee associated with trespassing livestock.

Amending sections 76-16-103, 76-16-106, 76-16-107, 76-16-108, 76-16-109, 76-16-111, 76-16-201, 76-16-202, 76-16-203, 76-16-204, 76-16-206, 76-16-207, 76-16-208, 76-16-209, 76-16-210, 76-16-211, 76-16-212, 76-16-302, 76-16-303, 76-16-304, 76-16-307, 76-16-308, 76-16-311, 76-16-315, 76-16-316, 76-16-319, 76-16-323, 76-16-325, 76-16-403, 76-16-406, 76-16-413, and 76-16-414, MCA.

Committee Hearings:

House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes:  
Third Reading Votes:

House 89-5; Senate 43-0  
House 92-7; Senate 49-0

Senate amended, House concurred, 87-12.

◆HB 513 John Witt

*Large Agricultural Land Not Included in Exempt Charitable Property*

An act providing that agricultural property that is used to produce unrelated business taxable income does not qualify as property used purely for public charitable purposes of qualifying for a property tax exemption; revising the definition of "institutions of purely public charity"; and providing an applicability date.

Amending section 15-6-201, MCA.

Committee Hearings:

House Taxation  
Senate Taxation

Second Reading Votes:

House 83-17; Senate 50-0

Third Reading Votes:

House 86-11; Senate 50-0

◆HR 2 Joan Hurdle

*Urge Production of Industrial Hemp as Agricultural Product*

A Resolution of the House of Representatives of the State of Montana requesting that the federal government repeal restrictions on the production of industrial hemp as an agricultural and industrial product.

Committee Hearing:

House Agriculture

Second Reading Vote:

House 95-4

◆SB 7 Reiny Jabs

*Revise Laws on Leasing of Grazing and Agricultural Land*

An act revising the method of leasing state grazing and agricultural lands; requiring a rental guarantee for bids over a one-third crop share; allowing for reinstatement of leases canceled for nonpayment; and providing an effective date and an applicability date.

Amending sections 77-6-501 and 77-6-506, MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 47-0; House 99-1

Third Reading Votes: Senate 49-0; House 99-0

♠ SB 18 Linda Nelson

*Enable Montana Agricultural Groups to Adopt Commodity Checkoff Programs*

An act enabling Montana agricultural commodity groups to adopt commodity checkoff programs for the purpose of conducting commodity research and market development programs; providing for a commodity group referendum process to adopt or eliminate checkoff programs; providing for creation of commodity advisory committees and setting out committee duties; creating an account and providing for expenditure and investment of account funds; providing penalties; statutorily appropriating checkoff program funds; and providing an immediate effective date.

Amending section 17-7-502, MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 45-2; House 87-13

Third Reading Votes: Senate 46-3; House 87-12

House amended, Senate concurred, 50-0.

◆ SB 141 Mack Cole

*Exempt In-State Irrigation Pipelines from the Montana Major Facility Siting Act*

An act exempting in-state pipelines used exclusively for irrigation of agricultural crops from the definition of "facility" in the Montana Major Facility Siting Act; and providing an immediate effective date.

Amending section 75-20-104, MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 40-1; House 100-0

Third Reading Votes: Senate 48-2; House 99-0

◆ SB 178 Linda Nelson

*Moratorium on Harvesting Medicinal Plants on State Land*

An act implementing a moratorium on the harvest or removal of wild medicinal plants from state lands; establishing a task force on wild medicinal plants to acquire the necessary technical information to determine sustainable collecting of wild medicinal plants on state lands and to recommend legislation if appropriate; requiring the Governor to notify federal agencies and tribal governments regarding the moratorium and allowing the Governor, when appropriate, to enter into a Memorandum of Understanding with a federal agency or tribal government to help ensure the sustainability of wild medicinal plants throughout Montana; providing definitions and a penalty; and providing an immediate effective date and a termination date.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 34-12; House 49-49

Segregated from the committee of the whole, 51-47.

House 2nd reading vote, 73-27.

Third Reading Votes:

Senate 36-13; House 66-34

House amended, Senate concurred, 45-5.

◆ SB 183 Linda Nelson

*Revise Agricultural Seed Laws*

An act revising laws regarding agricultural seed; clarifying labeling requirements and packaging prohibitions; clarifying and revising definitions; revising certain seed dealer licensing requirements and fees; establishing reporting requirements and an assessment on seed dealers located outside Montana based on gross annual sales in Montana; and providing an effective date.

Amending sections 80-5-105, 80-5-110, 80-5-120, 80-5-121, 80-5-202, 80-5-206, 80-5-207, 80-5-208, 80-5-301, and 80-5-305, MCA; and repealing sections 80-5-102, 80-5-104, 80-5-107, 80-5-112, 80-5-113, and 80-5-205, MCA.

Committee Hearings:

Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes:

Senate 46-3; House 92-7

Third Reading Votes:

Senate 46-2; House 92-6

House amended, Senate concurred, 49-0.

◆ SB 187 Jon Tester

*Revise Crop Dusting Lien*

An act revising crop dusting lien procedure by removing the requirement that 30 days' notice of intent be given prior to filing of a lien; and

providing an immediate effective date.

Amending section 71-3-902, MCA.

Committee Hearings:	Senate Business and Industry House Agriculture
Second Reading Votes:	Senate 49-0; House 95-3
Third Reading Votes:	Senate 50-0; House 96-3

House amended, Senate concurred, 46-3.

♠SB 196 Ken Mesaros

*Brucellosis Vaccination Requirements to be Adopted by Rule, Repealing Statutes*

An act repealing the statutory requirements for brucellosis vaccination of imported livestock; and allowing brucellosis vaccination requirements to be adopted by rule rather than by statute.

Repealing sections 81-2-801 and 81-2-805, MCA.

Committee Hearings:	Senate Agriculture, Livestock and Irrigation House Agriculture
Second Reading Votes:	Senate 50-0; House 96-4
Third Reading Votes:	Senate 49-0; House 96-3

♠SB 342 Don Hargrove

*Create the Montana Agricultural Heritage Preservation Program*

An act creating the Montana Agricultural Heritage Program; creating a 12-member Montana Agricultural Heritage Commission; authorizing the state and approved nonprofit organizations to acquire and hold

agricultural easements; providing agricultural easement acquisition criteria; requiring nine members of the commission to approve agricultural easement acquisitions; providing for perpetual and renewable term agricultural easements and agricultural easement enforcement; providing that state funds may be used to purchase, monitor, and enforce agricultural easement agreements; providing for donations, gifts, and other funds; creating an account in the state special revenue fund; and providing an effective date and a termination date.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 39-8; House 51-49  
Third Reading Vote: Senate 39-9

Rereferred to House Appropriations.

Second Reading Vote: House 72-28  
Third Reading Vote: House 75-24

House amended, Senate concurred, 45-5.

◆ SB 361 Ken Mesaros

*Revise Alternative Livestock Producers Regulatory Authority*

An act revising definitions and terminology related to game farms and game farm animals to mean alternative livestock ranches and alternative livestock; increasing annual license renewal fees; revising licensing requirements, requirements for removal of game animals from alternative livestock ranches and rulemaking requirements; renaming the Game Farm Advisory Council as the Alternative Livestock Advisory Council and revising council duties with regard to review of license applications; requiring adoption of a programmatic review process to assess environmental impacts associated with a new alternative livestock ranch; and providing effective dates.

Amending sections 81-1-102, 81-2-102, 81-2-702, 81-3-102, 81-9-217, 87-4-406, 87-4-407, 87-4-408, 87-4-409, 87-4-410, 87-4-411, 87-4-412, 87-4-413, 87-4-414, 87-4-415, 87-4-416, 87-4-417, 87-4-418, 87-4-419, 87-4-420, 87-4-422, 87-4-423, 87-4-424, 87-4-426, 87-4-427, 87-4-428, and 87-4-432, MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 25-24; House 56-43

Third Reading Votes: Senate 26-24; House 56-43

House amended, Senate concurred, 34-16.

Governor amended: Senate concurred, 45-4; House concurred, 65-34.

◆SB 384 Ken Mesaros

*Revise Statutes Related to Roadside Menageries and Zoos*

An act revising statutes related to roadside menageries and zoos; creating wild animal menageries and providing for terms of operation of wild animal menageries, including the keeping of bears and large cats; clarifying permit application requirements; providing that roadside and wild animal menageries and zoos may obtain captive-bred wild animals from a licensed zoo, roadside or wild animal menagerie, game farm, fur farm, game bird farm, or animal rehabilitation center; and revising definitions.

Amending sections 87-4-406, 87-4-801, 87-4-802, 87-4-803, 87-4-804, and 87-4-806, MCA; and repealing section 87-4-805, MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 48-0; House 79-21

Third Reading Votes: Senate 47-2; House 85-15

-10- Agriculture and Livestock

♣SB 394 Jon Tester

*Montana Organic Certified Commodities*

An act requiring the Department of Agriculture to prepare a plan for the establishment of a state organic certification program, in conformity with applicable federal law, upon petition by certified organic Montana producers, processors, and handlers; requiring that when the plan is developed it must be submitted by the Governor to the U.S. Secretary of Agriculture for approval; providing that when a state plan is approved by the U.S. Secretary of Agriculture, the state organic certification program must be implemented in Montana upon the request of a percentage of organic producers, processors, and handlers; requiring that the program be administered by the Department of Agriculture according to rules adopted by the department with advice from an Organic Commodity Advisory Council; establishing an account; and providing effective dates.

Amending sections 50-31-103 and 50-31-203, MCA; and repealing sections 50-31-221, 50-31-222, 50-31-223, and 50-31-231; MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 31-15; House 84-15  
Third Reading Votes: Senate 43-5; House 88-10

♣SB 401 Ric Holden

*Redefine Agricultural Use for Gasoline and Special Fuel Tax Refunds*

An act revising the definition of "agricultural use" for gasoline and special fuel tax refund purposes; allowing a person who earns income while engaging in the business of farming or ranching to receive gasoline and special fuel tax refunds according to the ratio of the person's gross earned farm income to total gross earned income; allowing the Department of Transportation to verify that a person qualifies as an agricultural user of

gasoline and special fuel; and providing an effective date and a termination date.

Amending sections 15-30-303, 15-70-201, 15-70-223, 15-70-301, and 15-70-362, MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 33-16; House 87-13

Third Reading Votes: Senate 32-17; House 93-5

House amended, Senate concurred, 45-5.

◆ SB 532 Walter McNutt

*Eliminate Personal Property Tax and Livestock Tax for Industrial Dairy*

An act exempting business personal property and livestock used by an industrial dairy from property taxation; exempting business personal property used by an industrial milk processor from property taxation; defining "industrial dairy" and "industrial milk processor"; providing that milk and milk products processed by an industrial dairy or an industrial milk processor be for export from the state; and providing an applicability date.

Amending sections 15-6-136, 15-6-138, and 15-6-201, MCA.

Committee Hearings: Senate Taxation  
House Taxation

Second Reading Votes: Senate 48-1; House 90-8

Third Reading Votes: Senate 47-1; House 88-11

♣ SJ 11 Greg Jergeson

*Urge Investigation of Causes for Depressed Agricultural Product Market Prices*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging an investigation into the causes of ongoing depressed market prices for agricultural products; and urging the initiation of actions that will stabilize the nation's food producers, main street businesses, and rural America as a whole.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 49-0; House 81-17

Third Reading Votes: Senate 48-1; House 85-13

♣ SJ 21 Don Hargrove

*Interim Study of Incentives to Preserve Agricultural Land with Cluster Developments*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting an interim study of options that could be implemented by local governments to provide incentives for cluster development and preservation of agricultural land or open space; authorizing the committee to request assistance in the conduct of the study; and requiring the committee to report on its findings and recommendations.

Committee Hearings: Senate Local Government  
House Agriculture

Second Reading Votes: Senate 50-0; House 86-11

Third Reading Votes: Senate 42-8; House 79-21

Failed

☛ HB 385 Emily Swanson

*Revise Greenbelt Property Taxes*

An act revising the valuation and taxation of certain land; revising the income criteria by which land may be determined to be agricultural for property tax purposes; and providing an applicability date.

Amending sections 15-6-133, 15-6-134, and 15-7-202, MCA.

Committee Hearing: House Taxation

Tabled in House committee.

☛ HB 440 Matt Brainard

*County Notification to the Fish, Wildlife and Parks Commission of Predator Alert*

An act requiring that if a Board of County Commissioners determines that an increase in predator populations presents an increased threat to livestock, wildlife, or public health, safety, or welfare in that county, the Board of County Commissioners may declare a "predator alert", identifying the problem predator species, and shall notify the Fish, Wildlife, and Parks Commission of that threat; requiring the Fish, Wildlife, and Parks Commission, upon notification, to suspend restrictions, license requirements, and bag limits on the taking of the problem predator species for a period not to exceed 12 months, during which time the Fish, Wildlife, and Parks Commission shall analyze the situation in that county; and providing an immediate effective date.

Committee Hearings: House Agriculture  
Senate Fish and Game

Second Reading Vote: House 62-37

Third Reading Vote: House 59-39

Tabled in Senate committee.

¶HB 453 Gail Gutsche

*Revise Fertilizer Laws*

An act requiring that if analysis by the Department of Agriculture reveals the presence of a heavy metal, arsenic, or organochlorine in a commercial fertilizer or soil amendment at a level that presents a threat to the public health, safety, or welfare as determined by a standard developed by rule of the Department of Environmental Quality, the Department of Agriculture shall prohibit the sale of the commercial fertilizer or soil amendment that presents the threat.

Amending sections 80-10-206 and 80-10-301, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

¶HB 463 Paul Clark

*Revise Annual License Renewal Fees for Game Farms*

An act revising game farm license annual renewal fees; and providing a contingent voidness provision.

Amending section 87-4-411, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

¶HB 464 Paul Clark

*Submit Revised License Fee for Game Farm to Electorate*

An act increasing the initial game farm license fee for a game farm with 1 to 20 game farm animals; submitting the fee increase to the electorate;

providing a contingent voidness provision; and providing an effective date.

Amending section 87-4-411, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

☛ HB 465 Paul Clark

*Submit Game Farm Initial License Fee Increase to Electors*

An act increasing the initial game farm license fee for a game farm with 21 to 60 game farm animals; submitting the fee increase to the electorate; providing a contingent voidness provision; and providing an effective date.

Amending section 87-4-411, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

☛ HB 466 Paul Clark

*Submit License Fee Increase for Large Game Farms to Electors*

An act increasing the initial game farm license fee for a game farm with more than 60 game farm animals; submitting the fee increase to the electorate; providing a contingent voidness provision; and providing an effective date.

Amending section 87-4-411, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

☛ HB 491 Paul Clark

*Revise Game Farm Law - Prohibit Fee Shooting and Certain Advertising*

An act prohibiting fee shooting on game farms; and prohibiting the use of certain language in game farm advertising.

Amending section 87-4-414, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

☛ HB 503 Paul Sliter

*Revise Laws Governing Livestock Trespass*

An act extending the provisions regarding impoundment of trespassing livestock to an unincorporated city or town with a form of government established pursuant to a neighborhood plan.

Amending sections 81-4-401, 81-4-403, 81-4-408, and 81-4-409, MCA.

Committee Hearing: House Agriculture

Second Reading Vote: House 30-66

☛ HB 643 Gail Gutsche

*Require Scientifically Based Risk Management Brucellosis Bison Plan*

An act revising statutes related to bison management; transferring primary administrative authority over wild buffalo or bison from the Department of Livestock to the Department of Fish, Wildlife, and Parks; eliminating the provision that brucellosis-free wild buffalo or bison may be sold; defining "low-risk bison" and providing that low-risk bison are not subject to brucellosis testing or treatment; requiring the Department of

Livestock to notify affected states of Montana's adoption of the definition of "low-risk bison"; requiring the Department of Fish, Wildlife, and Parks to determine the ecological bison-carrying capacity on public lands adjacent to Yellowstone National Park and to develop a plan, in conjunction with the Tribal Leadership Council, for managing that carrying capacity; requiring the Department of Fish, Wildlife, and Parks and the Department of Livestock to report to the 57th Legislature regarding state bison management and any progress on the development of a long-range bison management plan; and providing an immediate effective date.

Amending sections 81-2-120 and 87-1-216, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

¶ SB 121 Gerry Devlin

*Revise Appraisal Method for Subdivided Agricultural Land*

An act revising the eligibility of certain parcels of land to qualify as agricultural land; providing that parcels of land that are part of a platted subdivision that is in compliance with the Montana Subdivision and Platting Act may not be valued as agricultural land; and providing a delayed effective date and an applicability date.

Amending section 15-7-202, MCA.

Committee Hearing: Senate Agriculture,  
Livestock and Irrigation

Missed deadline for general bill transmittal.

☞ SB 147 John Hertel

*Produce Fee Referendum*

An act statutorily establishing the produce assessment fee at 5 cents per produce unit or equivalent poundage, an increase from the fee of 3.5 cents per produce unit previously established by rule; submitting the fee increase to the electorate; providing a contingent voidness provision; and providing an effective date.

Amending section 80-3-314, MCA.

Committee Hearings:	Senate Agriculture, Livestock and Irrigation House Agriculture
---------------------	--

Second Reading Vote:	Senate 34-8
Third Reading Vote:	Senate 42-8

House 2nd reading vote failed, 97-2.

☞ SB 177 Spook Stang

*Revise Herd District Law*

An act revising herd district laws by allowing a County Commission to create a herd district of 1 square mile or more outside of incorporated cities.

Amending section 81-4-301, MCA.

Committee Hearing:	Senate Agriculture, Livestock and Irrigation
--------------------	---

Tabled in Senate committee.

¶ SB 181 Linda Nelson

*Submit Annual License Fee of Certain Montana Seed Growers to Electorate*

An act creating an annual license fee for a Montana seed grower who sells seed from the seed grower's own production if in packages of over 10 pounds, if the sales exceed \$1,000 annually, or if the seed is sold to other than a licensed Montana seed dealer, conditioner, or labeler; submitting the fee to the electorate; providing a contingent voidness provision; and providing an effective date.

Committee Hearing: Senate Agriculture,  
Livestock and Irrigation

Senate committee hearing canceled.  
Missed deadline for revenue bill transmittal.

¶ SB 182 Linda Nelson

*Submit Increase in Annual Resident Seed Dealer License Fee to Electorate*

An act increasing the annual license fee for Montana seed dealers, conditioners, and labelers to \$180; submitting the fee increase to the electorate; providing a contingent voidness provision; and providing an effective date.

Committee Hearing: Senate Agriculture,  
Livestock and Irrigation

Senate committee hearing canceled.  
Missed deadline for revenue bill transmittal.

¶ SB 311 Arnie Mohl

*Limit Fuel Tax Refund to Agricultural Use*

An act limiting the eligibility for gasoline tax refunds and credits to

applicants who are engaged in the business of farming, ranching, mining, or operating a railroad; including the harvesting and transport of timber in the definition of "farming" for the purposes of gasoline tax refunds; submitting to the electorate the gasoline tax refund limitation; providing a contingent voidness provision; and providing an effective date.

Amending sections 15-70-201, 15-70-221, 15-70-222, and 15-70-223, MCA.

Committee Hearings: Senate Taxation  
House Taxation

Second Reading Vote: Senate 38-9  
Third Reading Vote: Senate 31-17

Tabled in House committee.

☛ SB 327 Gerry Devlin

*Increase Fee for Recording Livestock Market or Brand*

An act increasing the fee for recording, rerecording, or transferring a livestock mark or brand from \$50 to \$100; submitting the fee increase to the electorate; providing a contingent voidness provision; and providing an effective date.

Amending section 81-3-107, MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Vote: Senate 34-13  
Third Reading Vote: Senate 37-10

Tabled in House committee.

†SB 383 Don Hargrove

*Agricultural and Open Space Land Preservation and Cluster Development Act*

An act authorizing local governments with growth policies or master plans that meet certain requirements to establish cluster development subdivision regulations for proposed cluster developments in specified geographic areas that receive transferable development rights, subject to certain requirements; exempting cluster developments from certain requirements; and authorizing local governments to grant transferable development rights in exchange for preservation of agricultural or open space land, subject to certain requirements.

Amending sections 76-3-102, 76-3-103, 76-3-501, 76-3-504, 76-3-608, and 76-3-621, MCA.

Committee Hearings:

Senate State Administration  
House Natural Resources

Second Reading Vote:

Senate 40-7

Third Reading Vote:

Senate 43-4

Tabled in House committee.

†SB 392 Ric Holden

*Statewide Predatory Animal Bounty Program*

An act revising the Statewide Predator Bounty Program administered cooperatively between the Department of Livestock and the Department of Fish, Wildlife, and Parks; providing funding for the Department of Livestock bounty program from a per capita tax on cattle and sheep; providing funding for the Department of Fish, Wildlife, and Parks bounty program from an increase in the fee for a wildlife conservation license; increasing the fee that a bounty inspector may collect for examining a skin or carcass; revising the time period during which bounty claims may be paid; providing a contingent voidness provision; and providing effective dates and a termination date.

Amending sections 15-24-922, 81-7-104, 81-7-105, 81-7-111, 81-7-112, 81-7-113, 81-7-114, 81-7-117, 81-7-118, 81-7-120, 81-7-122, and 87-2-202, MCA; and repealing sections 81-7-115 and 81-7-116, MCA.

Committee Hearing: Senate Agriculture,  
Livestock and Irrigation

Tabled in Senate committee.

¶ SB 528 Gerry Devlin

*Prohibit Property Tax on Livestock and Poultry*

An act submitting to the qualified electors of Montana an amendment to Article VIII of the Montana Constitution to prohibit taxes on the value of livestock and poultry.

Committee Hearing: Senate Taxation

Missed deadline for revenue bill transmittal.

## Air Quality

Passed

♣SB 64 Arnie Mohl

*Revise Air Quality Laws*

An act revising the air quality laws; exempting the transfer of permits for portable emission sources from the Montana Environmental Policy Act review process; placing construction and operating permit fees into the same account; and providing effective dates.

Amending sections 75-2-211 and 75-2-221, MCA.

Committee Hearings:

Senate Natural Resources  
House Natural Resources

Second Reading Votes:

Senate 30-17; House 95-3

Third Reading Votes:

Senate 32-17; House 93-2

Failed

♣SB 174 John Bohlinger

*Sulfur Dioxide Emission Control Plans*

An act requiring the Board of Environmental Review to develop sulfur dioxide emission control plans; reducing the number of allowable excess concentrations of the ambient sulfur dioxide standard; and providing an immediate effective date.

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.

☞ SB 252 Lorents Grosfield

*Statutorily Designate State Air Quality Fees*

An act repealing the existing air quality preconstruction permit application fee and imposing a new fee; placing other existing fees in statute; providing a contingent voidness provision; and providing effective dates.

Amending sections 75-2-103, 75-2-211, 75-2-218, 75-2-221, and 75-2-301, MCA; and repealing section 75-2-220, MCA.

Committee Hearing: Senate Natural Resources

Tabled in Senate committee.

☞ SB 253 Lorents Grosfield

*Submit Air Quality Operation Fees to Electorate*

An act repealing the existing air quality operating fee and imposing a new fee; placing other existing fees in statute; providing a contingent voidness provision; and providing effective dates.

Amending sections 75-2-103, 75-2-211, 75-2-218, 75-2-221, and 75-2-301, MCA; and repealing section 75-2-220, MCA.

Committee Hearing: Senate Natural Resources

Tabled in Senate committee.

☞ SB 254 Lorents Grosfield

*Submit Air Quality Open Burning Fee to Electorate*

An act submitting to the electorate an air quality operation fee increase; providing a contingent voidness provision; and providing an effective date.

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.

¶ SB 255 Lorents Grosfield

*Submit Air Quality Permit Application Fee to Electorate*

An act establishing a new air quality application fee; submitting to the electorate a new air quality application fee of \$500; providing a contingent voidness provision; and providing an effective date.

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.

## Energy

### - Major Facility Siting Act -

Passed

♣SB 141 Mack Cole

*Exempt In-State Irrigation Pipelines from the Montana Major Facility Siting Act*

An act exempting in-state pipelines used exclusively for irrigation of agricultural crops from the definition of "facility" in the Montana Major Facility Siting Act; and providing an immediate effective date.

Amending section 75-20-104, MCA.

Committee Hearings:

Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes:

Senate 40-1; House 100-0

Third Reading Votes:

Senate 48-2; House 99-0

Failed

♣HB 574 Sylvia Bookout-Reinicke

*Modify Certain Provisions of the Montana Major Facility Siting Act*

An act providing that pipelines designed to transport hazardous or deleterious substances are subject to the requirements of the Montana Major Facility Siting Act; adding criteria to be considered in the review of facilities subject to the Major Facility Siting Act; and providing an immediate effective date.

Amending sections 75-20-104 and 75-20-301, MCA.

Committee Hearing:

House Natural Resources

Tabled in House committee.

## - Renewable Energy and Conservation -

Passed

◆HB 12 Joe Quilici

### *Authorize Issuance of General Obligation Bonds for Energy Conservation Program*

An act authorizing the issuance of general obligation bonds to fund the State Building Energy Conservation Program; approving energy conservation projects for fiscal years 2000 and 2001; appropriating bond proceeds to the Department of Environmental Quality; pledging the credit of the State of Montana to secure the bonds to be issued; reappropriating stripper-well payments contained in the federal special revenue fund; amending the procedure for identifying buildings that have a potential for energy savings and the authority to transfer funds for designing and constructing energy improvements; and providing an effective date.

Amending sections 90-4-605 and 90-4-607, MCA.

Committee Hearings:

House Appropriations  
Senate Finance and Claims

Second Reading Votes:

House 80-14; Senate 50-0

Third Reading Votes:

House 84-16; Senate 50-0

◆HB 23 Sam Kitzenberg

### *Ethanol Fuel Use in State Vehicle Fleet*

An act defining ethanol-blended fuel; eliminating the requirement that the operator of a state-owned motor vehicle report having used

ethanol-blended fuel; eliminating the requirement that a state agency retain records of ethanol use in the vehicles owned or operated by its employees; and eliminating the requirement that the Legislative Auditor review ethanol purchase records.

Amending section 2-17-414, MCA.

Committee Hearings:	House Transportation Senate Highways and Transportation
---------------------	---

Second Reading Votes:	House 90-8; Senate 50-0
Third Reading Votes:	House 91-9; Senate 50-0

Failed

¶ HB 63 Bruce Simon

*Require the Department of Commerce to Adopt the Most Recent Building Codes*

An act requiring the Department of Commerce to adopt the most recent published edition of the uniform plumbing code; prohibiting the adoption of cost and fee schedules contained in the code; and requiring the department to adopt the updated version of each code within 6 months of its publishing date.

Amending section 50-60-504, MCA.

Committee Hearing:	House Business and Labor Senate Business and Industry
--------------------	---

Second Reading Vote:	House 75-25
Third Reading Vote:	House 69-31

Tabled in Senate committee.

☛ HB 457 Sam Kitzenberg

*Require State to Phase in Use of Renewable Fuel Vehicles*

An act requiring the Department of Administration, when purchasing new vehicles, to ensure that a minimum of 5 percent of all new vehicles purchased are powered by renewable fuels; requiring that an agency requesting the purchase of a new vehicle be given the option of requesting a vehicle powered by renewable fuels; requiring that a vehicle provided for the official use of the Governor or Lieutenant Governor be powered by renewable fuels; defining "renewable fuels"; and providing an effective date.

Committee Hearing: House State Administration

Tabled in House committee.

☛ HB 569 Ron Erickson

*Business Tax Incentive for Fuel Conservation or Alternative Transportation*

An act creating tax incentives for businesses that conserve energy and fossil fuels by establishing transportation alternatives for employees; and providing an applicability date.

Amending sections 15-32-102 and 15-32-103, MCA.

Committee Hearings: House Taxation  
Senate Taxation

Second Reading Vote: House 78-21

Third Reading Vote: House 71-29

Tabled in Senate committee.

¶ HJ 30 Sam Kitzenberg

*Urge Support of Ethanol and Alternative Fuel in State Vehicles*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana encouraging the state government to purchase and use vehicles capable of being powered by a renewable fuel.

Committee Hearing: House Transportation

Tabled in House committee.

¶ SB 297 Bob Depratu

*Remove Ethanol Production Incentive Payment from Highway Funds*

An act moving the funding for the alcohol tax incentive from the Highway Trust Fund to the State General Fund; authorizing the Department of Revenue to make the tax incentive payment; and providing an effective date.

Amending sections 15-70-512 and 15-70-522, MCA.

Committee Hearing: Senate Taxation

Tabled in Senate committee.

- Utility Restructuring -

Passed

¶ HB 174 Chase Hibbard

*Generally Revise Taxation of Electrical Generation Facilities*

An act generally revising the taxation of electric utilities to comport with

the emerging competitive markets in the supply of electricity; creating a separate property taxation class for electric utility property; taxing electric utility property at 6 percent of its market value; reducing the tax rate on class seven property to 6 percent from 8 percent; imposing a 0.25 cent per kilowatt-hour excise tax on the consumption of electricity; allowing nonresidential purchasers of electricity to pay the tax at 5.1 percent of the delivered price of electricity; imposing a 0.175 cent per kilowatt-hour excise tax on the consumption of electricity by customers of an electric utility that has deferred entry into competition; allowing nonresidential purchasers of electricity to pay the tax at 3.1 percent of the delivered price of electricity purchased from an electric utility that has deferred entry into competition; imposing an additional electrical energy producers' license tax in the amount equal to 0.06 cent per kilowatt hour of electrical energy produced; providing an exemption from the additional electrical energy producers' license tax; providing for the distribution of excise tax revenue and the additional electrical energy producers' license tax revenue to taxing jurisdictions; providing a statutory appropriation for the distribution of tax revenue to taxing jurisdictions; revising the classification of counties; revising the debt limits of taxing jurisdictions; providing a contingent voidness provision; and providing effective dates and an applicability date.

Amending sections 7-1-2111, 7-7-107, 7-7-2101, 7-7-2203, 7-7-4201, 7-7-4202, 7-14-2524, 7-14-2525, 7-16-2327, 7-16-4104, 15-6-137, 15-6-141, 15-32-107, 15-51-101, 15-51-102, 15-51-103, 17-7-502, and 20-9-406, MCA.

Committee Hearings:

House Taxation  
Senate Taxation

Second Reading Votes:

House 75-24; Senate 48-1

Third Reading Votes:

House 81-18; Senate 48-2

Senate amended, House concurred, 81-19.

◆ HB 196 John Cobb

*Revise Tax Disclosure on Customer Utility Statement*

An act allowing the electric energy producers' license tax to be itemized on a customer's bill; and providing an applicability date.

Amending section 15-51-102, MCA.

Committee Hearings: House Business and Labor  
Senate Business and  
Industry

Second Reading Votes: House 100-0; Senate 39-0

Third Reading Votes: House 99-0; Senate 49-0

◆ HB 211 Royal Johnson

*Specify When a City/County/Consolidated Government Can be a Default Electricity Supplier*

An act allowing a city, county, or consolidated government to become a default electricity supplier to residential and commercial customers of a public utility within the city's, county's, or consolidated government's jurisdiction; and providing an immediate effective date.

Amending section 69-8-203, MCA.

Committee Hearings: House Local Government  
Senate Business and  
Industry

Second Reading Votes: House 82-16; Senate 49-1

Third Reading Votes: House 88-12; Senate 43-5

Senate amended, House concurred 91-8.



Committee Hearings: House Appropriations  
Senate Finance and Claims

Second Reading Votes: House 67-30; Senate 40-0

Third Reading Votes: House 72-28; Senate 47-2

House amended, Senate concurred, 82-17.

↳ SB 406 Steve Doherty

*Revise Laws for Formation of Cooperative to Purchase Power for Small Customers*

An act authorizing the formation of buying cooperatives to purchase electricity for residential and small commercial customers in investor-owned distribution utility service territories in which those customers can choose an electricity supplier; authorizing the Public Service Commission to designate one or more default suppliers for electricity within an investor-owned distribution utility's service territory; and providing an immediate effective date.

Amending sections 69-8-103, 69-8-201, and 69-8-403, MCA.

Committee Hearings: Senate Business and  
Industry  
House Appropriations

Second Reading Votes: Senate 49-0; House 84-14

Third Reading Votes: Senate 49-0; House 87-12

House amended, Senate did not concur, 49-0.

Free conference committee report adopted: Senate 50-0; House 96-2.

↳ SB 409 Jon Ellingson

*Authorize Net Metering for Certain Energy Systems*

An act authorizing net metering for certain energy systems; and providing

an effective date and an applicability provision.

Amending section 69-8-103, MCA.

Committee Hearings: Senate Business and  
Industry  
House Business and Labor

Second Reading Votes: Senate 49-0; House 98-1  
Third Reading Votes: Senate 48-1; House 96-3

House amended, Senate concurred, 49-0.

Failed

☛ HB 177 Chase Hibbard

*Increase Electric Generation Tax*

An act increasing the electrical energy producers' license tax by 0.06 cent; exempting from the increase electricity produced by a qualifying small power production facility under an existing contract; providing that the proposed act be submitted to the qualified electors of Montana; providing a contingent voidness provision; and providing an effective date.

Amending section 15-51-101, MCA.

Committee Hearing: House Taxation

Tabled in House committee.

☛ HB 178 Chase Hibbard

*Impose Kilowatt Hour and Self-Assessing Purchaser Tax*

An act imposing an excise tax on the final consumption of electricity based on kilowatt hours consumed or on the delivered price paid by a self-assessing purchaser; providing exceptions; submitting the

consumption tax to the qualified electors of Montana; providing a contingent voidness provision; and providing an effective date.

Committee Hearing: House Taxation

Tabled in House committee.

¶ HB 305 David Ewer

*Transition Benefit Credit*

An act requiring that in order to lower the cost of electric power for public utility consumers that public utility consumers be given a generation sale premium credit when there is a generation sale premium; creating an electric consumer generation sale premium credit special revenue account; providing a capital gains tax exemption for the sale of generation assets; and providing an immediate effective date and a retroactive applicability date.

Amending section 69-8-103, MCA.

Committee Hearing: House Taxation

Tabled in House committee.

¶ SB 318 Walter McNutt

*Revise Dates for Transition to Electrical Customer Choice*

An act revising certain dates for transition to customer choice for electricity supply; and providing an immediate effective date.

Amending section 69-8-201, MCA.

Committee Hearing: Senate Business and Industry

Tabled in Senate committee.

¶SB 391 Fred Thomas

*Generally Revise Law Governing Rural Electric Telephone Cooperatives*

An act creating the Electric Cooperative Nonprofit Membership Corporations Act; and providing an immediate effective date.

Amending sections 35-18-101, 35-18-102, 35-18-105, 35-18-106, 35-18-201, 35-18-206, 35-18-301, 35-18-313, 35-18-316, 69-3-823, 69-5-102, and 69-8-103, MCA; and repealing sections 35-18-107 and 35-18-318, MCA.

Committee Hearing: Senate Business and Industry

Tabled in Senate committee.

¶SB 408 Jon Ellingson

*Continuing Regulation of Electricity Rates*

An act requiring that the Public Service Commission continue to regulate electricity supply for small customers if workable competition does not exist; and providing an immediate effective date.

Amending sections 69-8-201, 69-8-210, and 69-8-403, MCA.

Committee Hearing: Senate Business and Industry

Tabled in Senate committee.

- Energy/Other -

Passed

♣SB 40 Duane Grimes

*Remove Restrictions on Sale of Power from Broadwater Project*

An act removing the Department of Natural Resources and Conservation's power sale restrictions for power generated by a state facility; and providing an immediate effective date.

Amending section 85-1-509, MCA.

Committee Hearings:

Senate Natural Resources  
House Natural Resources

Second Reading Votes:

Senate 49-0; House 89-4

Third Reading Votes:

Senate 50-0; House 91-7

Failed

♣HB 394 Chris Ahner

*Clarify Laws Governing Energy Installation*

A bill for an act entitled: "an act clarifying who is a power supplier; clarifying the connection and energizing requirements for power suppliers; providing for criminal penalties; and providing an immediate effective date.

Amending sections 50-60-605 and 50-60-607, MCA.

Committee Hearing:

House Business and Labor

Tabled in House committee.

*Local Option Gas Tax*

An act revising local option motor fuel excise taxes; providing that the taxes are administered through a motor fuel tax district established by the electorate of the district; requiring that the establishment of the district be approved by separate majorities of the electorate of each municipality and by the electorate of unincorporated areas; requiring that the tax revenue be used for street and road improvements in the district; providing that the tax be collected by the motor fuel retailer; and providing for the collection of delinquent taxes from a retailer.

Amending sections 7-14-301, 7-14-302, and 7-14-303, and repealing section 7-14-304, MCA.

Committee Hearing:

House Taxation

Tabled in House committee.

# Environmental Quality

- Administration -

Passed

♣ HB 6 Matt McCann

## *Renewable Resource Grants*

An act appropriating money to the Department of Natural Resources and Conservation for grants under the Renewable Resource Grant and Loan Program; prioritizing grants and amounts; establishing conditions for grants; providing for contingent appropriations; and providing effective dates.

Committee Hearings:

House Appropriations  
Senate Finance and Claims

Second Reading Votes:

House 91-7; Senate 49-0

Third Reading Votes:

House 92-8; Senate 49-0

Senate amended, House concurred, 84-15.

♣ HB 7 Matt McCann

## *Reclamation and Development Grants*

An act appropriating money to the Department of Natural Resources and Conservation for grants for designated projects under the Reclamation and Development Grants Program; prioritizing grants and amounts; establishing conditions for grants; and providing an effective date.

Committee Hearings:

House Appropriations  
Senate Finance and Claims

Second Reading Votes:

House 94-4; Senate 49-0

Third Reading Votes:

House 96-4; Senate 50-0

♠ HB 8 Matt McCann

*Renewable Resource Bonds and Loans*

An act approving renewable resource projects and authorizing loans; reauthorizing renewable resource projects authorized by the 55th Legislature; appropriating money to the Department of Natural Resources and Conservation for loans under the Renewable Resource Grant and Loan Program; authorizing the issuance of coal severance tax bonds; authorizing the creation of a state debt and appropriating coal severance taxes; placing certain conditions upon loans; and providing an immediate effective date.

Committee Hearings: House Appropriations  
Senate Finance and Claims

Second Reading Votes: House 90-9; Senate 47-0  
Third Reading Votes: House 88-9; Senate 47-0

♠ HB 10 Matt McCann

*Oil Overcharge Appropriation*

An act appropriating oil overcharge money for programs administered by the State of Montana; and providing an effective date.

Committee Hearings: House Appropriations  
Senate Finance and Claims

Second Reading Votes: House 89-11; Senate 50-0  
Third Reading Votes: House 88-12; Senate 50-0

♠ HB 12 Joe Quilici

*Authorize Issuance of General Obligation Bonds for Energy Conservation Program*

An act authorizing the issuance of general obligation bonds to fund the State Building Energy Conservation Program; approving energy

conservation projects for fiscal years 2000 and 2001; appropriating bond proceeds to the Department of Environmental Quality; pledging the credit of the State of Montana to secure the bonds to be issued; reappropriating stripper-well payments contained in the federal special revenue fund; amending the procedure for identifying buildings that have a potential for energy savings and the authority to transfer funds for designing and constructing energy improvements; and providing an effective date.

Amending Sections 90-4-605 and 90-4-607, MCA.

Committee Hearings: House Appropriations  
Senate Finance and Claims

Second Reading Votes: House 80-14; Senate 50-0  
Third Reading Votes: House 84-16; Senate 50-0

◆ HB 29 Karl Ohs

*Increase Renewable Resources Bonding Authority*

An act increasing to \$20 million the authority to issue general obligation bonds to make loans to individuals and water associations under the Renewable Resource Grant and Loan Program; authorizing the creation of a state debt; and providing an effective date.

Amending section 85-1-624, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 88-10; Senate 49-0  
Third Reading Votes: House 89-10; Senate 49-0

◆HB 35 Chris Ahner

*Make Resource Development Account Deduction Permanent*

An act removing the termination date for the provision that allows a 3 percent state lands resource development account deduction; and providing an immediate effective date.

Repealing section 4, chapter 247, Laws of 1997.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 64-34; Senate 49-0

Third Reading Votes: House 64-32; Senate 49-0

◆HB 66 John Cobb

*Agency Notification of Turn Around Time for Licenses*

An act requiring state agencies to include with an application for a license or permit the estimated time it will take for the agency to process and act on the application.

Committee Hearings: House State Administration  
Senate State Administration

Second Reading Votes: House 100-0; Senate 45-0

Third Reading Votes: House 98-0; Senate 50-0

Senate amended, House concurred, 100-0.

◆HB 74 Doug Mood

*Generally Revise Fiscal Aspects of Drinking Water/Wastewater Revolving Funds*

An act generally revising the laws relating to the wastewater treatment and safe drinking water treatment revolving funds; authorizing the

creation of state debt; and providing an immediate effective date and a retroactive applicability date.

Amending sections 75-5-1106, 75-5-1113, 75-5-1121, 75-6-211, 75-6-224, 75-6-225, MCA, and section 16, chapter 553, Laws of 1995.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 89-11; Senate 49-0

Third Reading Votes: House 88-11; Senate 50-0

◆ HB 80 John Cobb

*Revise Trust Land Management*

An act generally revising laws governing state lands to remove provisions declared invalid.

Amending sections 20-6-621, 20-15-403, 77-2-106, 77-2-211, 77-2-303, 77-2-311, and 77-3-132, MCA; and repealing sections 7-35-4104, 77-3-321, and 77-5-213, MCA.

Committee Hearings: House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes: House 94-4; Senate 49-0

Third Reading Votes: House 94-5; House 49-0

◆ HB 89 Sylvia Bookout-Reinicke

*Limit Term of Emergency Response Commission*

An act revising the laws concerning the State Emergency Response Commission; reducing the members of the commission from 20 to 19; providing for the terms of office of the members; providing for the

appointment of two presiding officers of the commission; and providing an applicability date.

Amending section 10-3-1204, MCA.

Committee Hearings:	House State Federal Relations Senate State Administration
---------------------	--

Second Reading Votes:	House 97-1; Senate 46-0
Third Reading Votes:	House 98-0; Senate 48-0

◆ HB 92 Roger Somerville

*Fund Natural Resource Damage Litigation Program*

An act appropriating money to the Department of Justice for technical, legal, and administrative activities for the State of Montana natural resource damage assessment, litigation, and settlement implementation in the Clark Fork River Basin; requiring repayment of the expended amounts from any recovery in the litigation; clarifying that recovered funds are not deposited in the Hazardous Waste/CERCLA special revenue account or the Environmental Quality Protection Fund; and providing effective dates and a retroactive applicability date.

Amending sections 5 and 6, chapter 154, Laws of 1997.

Committee Hearings:	House Natural Resources Senate Finance and Claims
---------------------	--

Second Reading Vote:	House 82-18
Rereferred to House Appropriations.	

Second Reading Votes:	House 86-14; Senate 50-0
Third Reading Votes:	House 77-21; Senate 49-1

◆HB 110 Royal Johnson

*Water Pollution Control State Revolving Fund--Additional Bonding Authority*

An act authorizing an additional \$15 million in general obligation bonds to provide the state matching funds for the water pollution control state revolving fund; authorizing the creation of state debt; and providing an immediate effective date.

Amending section 75-5-1122, MCA.

Committee Hearings:

House Appropriations  
Senate Finance and Claims

Second Reading Votes:

House 86-13; Senate 50-0

Third Reading Votes:

House 84-13; Senate 50-0

◆HB 120 Roy Brown

*Revise Reclamation and Development Grant Fund Use*

An act revising the restriction on using priority Reclamation and Development Grant funds for personnel costs or operating expenses incurred while performing oil and gas reclamation projects; and providing an effective date.

Amending Section 90-2-1113, MCA.

Committee Hearings:

House Natural Resources  
Senate Natural Resources

Second Reading Votes:

House 53-45; Senate 50-0

Third Reading Votes:

House 49-47; House 48-0

♣HB 194 John Cobb

*Fee Impacts in Administrative Rule Proposals*

An act providing that an agency that proposes by rule to increase, decrease, or adopt a monetary amount that persons are required to pay or will receive shall, if known, include in the proposal notice an estimate of the number of paying or receiving persons and the cumulative amount that those persons will pay or receive; and providing an effective date.

Amending section 2-4-302, MCA.

Committee Hearings: House State Administration  
Senate State Administration

Second Reading Votes: House 100-0; Senate 45-0

Third Reading Votes: House 100-0; Senate 50-0

♣HB 198 John Cobb

*Revise Ability to Request Economic Impact Statement or Administrative Rule*

An act providing for an economic impact statement on a rule proposal upon the request of 15 legislators; and providing an effective date.

Amending sections 2-4-405 and 5-18-107, MCA.

Committee Hearings: House State Administration  
Senate State Administration

Second Reading Votes: House 75-25; Senate 32-14

Third Reading Votes: House 78-22; Senate 38-10

♣HB 245 Bruce Simon

*Implement Affordable Housing Land Use Initiative as Related to Building Codes*

An act implementing recommendations of the affordable housing and

-48- Environmental Quality

land use initiative; establishing a Building Codes Council; establishing a continuing education program administered by the Department of Commerce and funded by a portion of inspection fees; mandating the creation of a central registry of authoritative interpretations of building codes; and providing for statewide approval of model plans and a checklist for the examination of single-family dwelling construction plans.

Amending sections 50-60-103, 50-60-106, 50-60-201, and 50-60-301, MCA.

Committee Hearings: House Business and Labor  
Senate Business and Industry

Second Reading Votes: House 71-26; Senate 35-15

Third Reading Votes: House 71-24; Senate 35-13

Governor amended: House concurred, 89-9; Senate concurred, 35-13.

◆ HB 392 Bill Tash

*Expand DEQ Consultation with TMDL Advisory Group*

An act expanding the requirements for the Department of Environmental Quality to consult with the statewide TMDL advisory group on matters related to water quality monitoring, assessment, and TMDL development; and providing an immediate effective date.

Amending sections 75-5-702 and 75-5-703, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 96-4; Senate 50-0

Third Reading Votes: House 95-4; Senate 50-0

◆ HB 539 Paul Sliter

*Changes to Flathead Basin Commission Laws*

An act removing the requirement that the member from the Governor's staff appointed to the Flathead Basin Commission serve as the commission's executive director; allowing the commission to hire staff; eliminating the Flathead Basin Commission account; and providing an effective date.

Amending sections 2-15-213 and 2-15-215, MCA; and repealing section 75-7-306, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 66-32; Senate 49-0

Third Reading Votes: House 72-26; Senate 45-3

◆ HB 616 Monica Lindeen

*Provide for the Receipt of Public Comment by Mail*

An act providing for the receipt of public comment by electronic mail; requiring agencies using electronic mail to disseminate an electronic mail address to which public comment may be made; requiring agencies creating or receiving electronic documents to disseminate them electronically if requested; prohibiting agencies from charging a fee for dissemination of electronic documents; and providing a delayed effective date.

Committee Hearings: House State Administration  
Senate State Administration

Second Reading Votes: House 99-1; Senate 48-0

Third Reading Votes: House 98-1; Senate 44-0

Governor amended, House concurred, 97-2, Senate concurred, 50-0.



areas and other habitats for the natural reproduction of bull trout and cutthroat trout; directing that a portion of funding from various sources, including funds appropriated or available to the Department of Fish, Wildlife, and Parks and from the interest on the Resource Indemnity Trust Fund, be used to fund the Bull Trout and Cutthroat Trout Enhancement Program; directing the Department of Fish, Wildlife, and Parks to administer the program; appropriating funds for the enhancement program; revising the membership of the future fisheries review panel and extending the termination date of the future fisheries improvement program; and providing effective dates and a termination date.

Amending sections 15-38-202 and 87-1-273, MCA, and section 5, chapter 463, Laws of 1995.

Committee Hearings:	House Fish, Wildlife and Parks Senate Fish and Game
---------------------	---

Second Reading Votes:	House 73-24; Senate 32-18
Third Reading Votes:	House 80-18; Senate 27-23

◆ SB 48 Chuck Swysgood

*Fund Trust Land Management Functions*

An act authorizing the funding of the trust land management functions of the Department of Natural Resources and Conservation from all sources of revenue generated by the administration of trust lands and from a portion of the interest income of the Permanent Land Grant Funds; creating an account to record and administer receipts and disbursements; and providing an effective date.

Amending sections 17-3-1003, 18-2-107, 20-9-341, 20-9-601, and 20-25-422, MCA.

Committee Hearings:	Senate Natural Resources House Appropriations
---------------------	--

Second Reading Votes:  
Third Reading Votes:

Senate 37-7; House 87-9  
Senate 47-3; House 77-19

♠ SB 220 Daryl Toews

*Treasure State Endowment Regional Water System Fund*

An act allocating a portion of the Coal Severance Tax Trust Fund for the Treasure State Endowment Regional Water System Fund; providing that the earnings on the fund must be used for regional water systems; and providing an effective date and a termination date.

Amending section 17-5-703, MCA.

Committee Hearings:

Senate Finance and Claims  
House Appropriations

Second Reading Votes:  
Third Reading Votes:

Senate 49-0; House 95-3  
Senate 49-0; House 97-2

House amended, Senate concurred, 50-0.

♠ SB 394 Jon Tester

*Montana Organic Certified Commodities*

An act requiring the Department of Agriculture to prepare a plan for the establishment of a state organic certification program, in conformity with applicable federal law, upon petition by certified organic Montana producers, processors, and handlers; requiring that when the plan is developed it must be submitted by the Governor to the U.S. Secretary of Agriculture for approval; providing that when a state plan is approved by the U.S. Secretary of Agriculture, the state organic certification program must be implemented in Montana upon the request of a percentage of organic producers, processors, and handlers; requiring that the program be administered by the Department of Agriculture according to rules adopted by the department with advice from an Organic Commodity Advisory Council; establishing an account; and providing effective dates.

Amending sections 50-31-103 and 50-31-203, MCA; and repealing sections 50-31-221, 50-31-222, 50-31-223, and 50-31-231; MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 31-15; House 84-15

Third Reading Votes: Senate 43-5; House 88-10

♣SB 411 William Crismore

*Annual Report on Trust Land Return*

An act requiring the Board of Land Commissioners to provide annual reports regarding the average return of revenue on asset value to trust beneficiaries of forested lands; describing the method for calculating average return and asset value; and providing an effective date.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 31-17; House 73-26

Third Reading Votes: Senate 35-14; House 73-24

House amended, Senate concurred, 49-1.

♣SB 462 Lorents Grosfield

*Generally Authorize Environmental Control Easements*

An act generally authorizing environmental control easements; allowing the acquisition of environmental control sites; limiting the conversion or diversion of environmental control sites from the purposes specified in the environmental control easement; restricting the conveyance or lease of environmental control sites; authorizing public body powers in connection with environmental control easements; providing for the creation and approval of environmental control easements; specifying the

duration of environmental control easements; providing for permissible easements; designating grantees of environmental control easements; providing for reporting requirements by qualified private organizations; authorizing the assignability of easements; providing for coordination with local planning authorities; requiring the recording and description of environmental control easements; exempting certain interest held by a grantee from property taxes; providing for easement enforcement and liability; and providing an effective date.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 40-9; House 59-40

Third Reading Votes: Senate 40-9; House 66-34

House amended, Senate concurred, 46-4.

◆ SJ\_3 Vicki Cocchiarella

*Encourage State Agency Adoption of BMPs to Protect Water Quality*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana recommending that state agencies serve as role models for the implementation and refinement of Best Management Practices to reduce nonpoint source pollution of Montana's waters; and recommending that relevant agencies report related progress and accomplishments to the Environmental Quality Council prior to the next legislative session.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 46-1; House 94-4

Third Reading Votes: Senate 48-1; House 95-5

Failed

☛ HB 63 Bruce Simon

*Require the Department of Commerce to Adopt the Most Recent Building Codes*

An act requiring the Department of Commerce to adopt the most recent published edition of the uniform plumbing code; prohibiting the adoption of cost and fee schedules contained in the code; and requiring the department to adopt the updated version of each code within 6 months of its publishing date.

Amending section 50-60-504, MCA.

Committee Hearing:

Senate Business and  
Industry

Tabled in Senate committee.

☛ HB 91 Bruce Simon

*Revise Method for Extension of Municipal Jurisdiction for Building Code*

An act requiring a county to conduct a mail ballot election at municipal government expense when a municipality requests an election to approve or disapprove the application of the municipality's building code jurisdiction to all or part of an area not to exceed 4 1/2 miles beyond the municipality's corporate limits; establishing a moratorium on the application and enforcement of municipal building codes in existing areas of extended jurisdiction until an election is held; providing for coordination with Article VIII, section 17, of the Montana Constitution; and providing an immediate effective date.

Amending sections 13-19-106, 50-60-101, 50-60-301, and 50-60-302, MCA.

Committee Hearings:

House Local Government  
Senate Local Government

Second Reading Votes: House 51-49; Senate 25-16  
Third Reading Votes: House 57-43; Senate 32-17

Senate amended, House concurred, 63-35.  
Governor vetoed.  
House veto override failed, 61-37. Did not receive the required 2/3 vote.

☞ HB 117 Karl Ohs

*Statutorily Create the Consensus Council*

An act statutorily authorizing the Montana Consensus Council; providing for the appointment of a Board of Directors; providing for an Executive Director; and providing an effective date and a termination date.  
Committee Hearing: House State Administration

Tabled in House committee.

☞ HB 197 John Cobb

*Rulemaking Notes for Bills*

An act providing for a requested rulemaking note on a bill containing sections that may be implemented by administrative rules; providing a process for the request, preparation, consideration, and contents of the rulemaking note; and providing an effective date.

Committee Hearings: House State Administration  
Senate Judiciary

Second Reading Vote: House 99-1  
Third Reading Vote: House 100-0

Tabled in Senate committee.

☛ HB 273 Bob Raney

*Revise Use of Bed Tax*

An act revising the allocation and use of the lodging facility use tax; replacing percentage allocations with specific amounts; eliminating allocations to regional nonprofit tourism corporations; providing allocations to local governments to be used for tourism-related promotions, infrastructure, and services, providing for the creation of committees to recommend projects; providing for grants to certain local governments; and providing an effective date.

Amending sections 2-15-1816, 15-65-101, and 15-65-121, MCA; and repealing section 15-65-122, MCA.

Committee Hearing: House Taxation

Second Reading Vote: House 31-69

☛ HB 286 Shiell Anderson

*Revise Allocation and Use of Lodging Facility Use Tax*

An act generally revising the laws governing the allocation and use of the Lodging Facility Use Tax; clarifying the facilities that are subject to the tax; authorizing the Tourism Advisory Council to provide matching funds for local travel-related research projects; allocating a percentage of funds rather than a specific amount to the Montana Heritage Commission; revising the use of funds allocated to the Montana Historical Society and the Department of Fish, Wildlife, and Parks; reducing the allocation to the Department of Commerce and to the university system; providing a contingent voidness provision; and providing effective dates.

Amending sections 2-15-1816, 15-65-101, and 15-65-121, MCA.

Committee Hearing: House Taxation

Tabled in House committee.

☛ HB 426 Rick Jore

*Revise State-Tribal Cooperative Agreements*

An act amending the State-Tribal Cooperative Agreements Act to clarify the required general and detailed contents; requiring tax agreements affecting fee land to be submitted to the electorate prior to adoption; requiring annual audit reports; requiring audit reports to be available upon request and to be specific to each agreement; prohibiting an agreement ceding jurisdiction over nontribally owned fee lands within a reservation where exclusive state jurisdiction has been judicially determined; clarifying distribution of revenue; and providing an immediate effective date and an applicability date.

Amending sections 18-11-103, 18-11-104, 18-11-110, and 18-11-112, MCA.

Committee Hearing:

House Judiciary

Tabled in House committee.

☛ HB 427 Rick Jore

*Terminate State-Tribal Cooperative Hunting-Fishing Agreement*

An act terminating the state-tribal hunting and fishing cooperative agreement between the Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation and the State of Montana; eliminating the provision that an agreement negotiated between the state and the tribes does what is necessary to grant to tribal Indians free state permits to hunt and fish off reservation on open and unclaimed lands or to allow Indians to hunt without licenses, permits, or stamps; requiring the transfer to the Tribal Council of funds equal to fish and wildlife violation fines and restitution under certain circumstances; providing additional statutory criteria to be applied upon a renegotiation of the agreement; and providing an immediate effective date and an applicability date.

Amending section 87-1-228, MCA.

Committee Hearing:

House Fish, Wildlife and  
Parks

Tabled in House committee.

☛ HB 457 Sam Kitzenberg

*Require State to Phase in Use of Renewable Fuel Vehicles*

An act requiring the Department of Administration, when purchasing new vehicles, to ensure that a minimum of 5 percent of all new vehicles purchased are powered by renewable fuels; requiring that an agency requesting the purchase of a new vehicle be given the option of requesting a vehicle powered by renewable fuels; requiring that a vehicle provided for the official use of the Governor or Lieutenant Governor be powered by renewable fuels; defining "renewable fuels"; and providing an effective date.

Committee Hearing:

House State Administration

Tabled in House committee.

☛ HB 600 Gail Gutsche

*Protect Children and Pregnant Women from Environmental Hazards*

An act requiring the Department of Environmental Quality to adopt standards to protect children and pregnant women from the full range of health effects that may be associated with prenatal and other exposures to pollutants; and providing an immediate effective date and an applicability date.

Committee Hearing:

House Human Services

Tabled in House committee.

¶ SB 297 Bob Depratu

*Remove Ethanol Production Incentive Payment from Highway Funds*

An act moving the funding for the alcohol tax incentive from the Highway Trust Fund to the State General Fund; authorizing the Department of Revenue to make the tax incentive payment; and providing an effective date.

Amending sections 15-70-512 and 15-70-522, MCA.

Committee Hearing:

Senate Taxation

Tabled in Senate committee.

¶ SB 298 Tom Keating

*Revise Method of Appropriation of Reclamation and Development Grants*

An act generally revising the method by which funds are allocated from the Reclamation and Development Grants Program account; eliminating grants from the Reclamation and Development Grants Program; reallocating funds from the grants program to provide for the funding of oil, gas, and mine reclamation projects; and providing an effective date.

Amending sections 15-37-117, 15-38-106, 15-38-202, 17-7-111, 90-2-1101, 90-2-1102, 90-2-1103, 90-2-1104, and 90-2-1112, MCA; and repealing sections 90-2-1105, 90-2-1111, 90-2-1113, 90-2-1114, and 90-2-1121, MCA.

Committee Hearing:

Senate Finance and Claims

Tabled in Senate committee.

SB 313 Ken Mesaros

*Uniform Environmental Enforcement Act*

An act adopting the Uniform Environmental Enforcement Act and the Uniform Hard-Rock and Opencut Mining Enforcement Act; generally revising the enforcement provisions in the regulatory statutes administered by the Department of Environmental Quality; and providing a delayed effective date and an applicability date.

Amending sections 75-2-111, 75-2-212, 75-2-402, 75-2-411, 75-2-503, 75-2-508, 75-2-514, 75-5-201, 75-5-307, 75-5-311, 75-5-401, 75-5-403, 75-5-636, 75-6-103, 75-6-111, 75-10-104, 75-10-106, 75-10-118, 75-10-204, 75-10-206, 75-10-212, 75-10-231, 75-10-232, 75-10-233, 75-10-405, 75-10-408, 75-10-541, 75-10-542, 75-10-907, 75-10-943, 75-11-204, 75-11-505, 75-20-204, 75-20-407, 75-20-408, 76-4-102, 76-4-109, 82-4-305, 82-4-311, 82-4-321, 82-4-331, 82-4-335, 82-4-360, 82-4-422, and 82-4-424, MCA; and repealing sections 75-2-401, 75-2-403, 75-2-413, 75-2-421, 75-2-422, 75-2-423, 75-2-424, 75-2-425, 75-2-426, 75-2-427, 75-2-428, 75-2-429, 75-5-602, 75-5-603, 75-5-604, 75-5-611, 75-5-612, 75-5-613, 75-5-614, 75-5-615, 75-5-616, 75-5-617, 75-5-621, 75-5-622, 75-5-631, 75-5-635, 75-5-641, 75-6-109, 75-6-110, 75-6-114, 75-10-227, 75-10-228, 75-10-413, 75-10-414, 75-10-415, 75-10-416, 75-10-417, 75-10-424, 75-10-540, 75-10-944, 75-11-218, 75-11-219, 75-11-220, 75-11-223, 75-11-512, 75-11-513, 75-11-515, 75-11-516, 75-11-518, 76-4-108, 76-4-110, 82-4-361, and 82-4-441, MCA.

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.

- Montana Environmental Policy Act (MEPA) -

Passed

◆ HB 142 Shuell Anderson

*Clarify Environmental Review for State Proposals*

An act clarifying the treatment of a transfer of ownership pursuant to the Montana Environmental Policy Act; limiting a court's scope of review for an action or challenge that an environmental statement or review is not required or that the statement or review is inadequate; creating exemptions from the provisions of the Montana Environmental Policy Act for action taken under Title 77, MCA; and providing an immediate effective date and a retroactive applicability date.

Amending section 75-1-201, MCA.

Committee Hearings:

House Natural Resources  
Senate Natural Resources

Second Reading Votes:

House 61-35; Senate 30-19

Third Reading Votes:

House 64-34; Senate 29-21

◆ SB 64 Arnie Mohl

*Revise Air Quality Laws*

An act revising the air quality laws; exempting the transfer of permits for portable emission sources from the Montana Environmental Policy Act review process; placing construction and operating permit fees into the same account; and providing effective dates.

Amending sections 75-2-211 and 75-2-221, MCA.

Committee Hearings:

Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 30-17; House 95-3  
Third Reading Votes: Senate 32-17; House 93-2

♣SJ 18 Bea McCarthy

*Interim Study of MEPA by the Environmental Quality Council*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Environmental Quality Council conduct an interim study of the Montana Environmental Policy Act.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 49-0; House 91-9  
Third Reading Votes: Senate 45-5; House 86-12

Failed

♣HB 346 Bob Raney

*Require Annual Monitoring Reports on Compliance with EIS Mitigation Measures*

An act requiring annual reporting of mitigation or monitoring requirements or stipulations.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Vote: House 87-10  
Third Reading Vote: House 92-8

Tabled in Senate committee.

☞ SB 413 Duane Grimes

*Revise MEPA*

An act revising various aspects of the Montana Environmental Policy Act; providing definitions; clarifying the requirement that state agencies identify and develop methods and procedures that ensure that presently quantified environmental amenities and values may be given appropriate consideration in decisionmaking; requiring the director of a state agency commenting on a proposed action to determine the significance of the proposed action; clarifying the treatment of a transfer of ownership; limiting a court's scope of review for an action or challenge that an environmental statement or review is not required or that the statement or review is inadequate; requiring an Environmental Impact Statement contractor to post a performance bond; and providing an immediate effective date and applicability dates.

Amending Section 75-1-201, MCA.

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.



Amending section 87-2-801, MCA.

Committee Hearings:	House Fish, Wildlife and Parks Senate Fish and Game
Second Reading Votes:	House 95-2; Senate 45-0
Third Reading Votes:	House 94-5; Senate 50-0

◆ HB 215 David Ewer

*Prohibit the Use of Electronic Motion Tracking Devices When Hunting*

An act prohibiting the use of electronic motion-tracking devices while hunting.

Committee Hearings:	House Fish, Wildlife and Parks Senate Fish and Game
Second Reading Votes:	House 70-29; Senate 47-0
Third Reading Votes:	House 72-27; Senate 46-3

Senate amended, House concurred 84-15.

◆ HB 314 Bob Raney

*Revise and Restrict Park and Fishing Access Maintenance and Improvement*

An act implementing a "good neighbor policy" on public recreational lands to provide minimum impact on adjoining private property; requiring that maintenance in state parks and fishing access sites have priority over additional development; requiring legislative approval of development projects; defining "maintenance"; protecting riparian vegetation by discouraging motorized camping within 25 feet of a river or stream in state parks and fishing access sites; and disallowing the use of certain motorized off-highway vehicles in state parks and fishing access sites.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes: House 80-19; Senate 48-0  
Third Reading Votes: House 85-15; Senate 40-8

Senate amended, House did not concur, 94-6.

Free conference committee report adopted: House 85-12, Senate 40-9.

◆ HB 379 Bill Tash

*Require Programs that Assist in Management and Recovery of Sensitive or Rare Species*

An act requiring the Department of Fish, Wildlife, and Parks to implement department programs in a manner that assists in the maintenance or recovery of sensitive or rare species; requiring that the department ensure that the state's interest in balancing species recovery with economic and social impacts when entering into any federal cooperative agreement or when commenting on federal recovery plans is fully protected; and providing an immediate effective date.

Amending section 87-1-201, MCA.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes: House 70-28; Senate 46-0  
Third Reading Votes: House 79-18; Senate 49-0

Senate amended, House concurred, 89-10.

◆ HB 387 Rick Jore

*Clarify Definition of Lake or Pond for Fishing Purposes*

An act allowing a person who owns or lawfully controls an artificial lake or pond or a private fish pond to qualify for a fish pond license if the license conditions are met; revising the definition of "artificial lake or pond" to include a private fish pond; and providing an immediate effective date.

Amending section 87-4-603, MCA.

Committee Hearings:

House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes:

House 94-6; Senate 48-0

Third Reading Votes:

House 89-11; Senate 48-2

◆ HB 389 Bill Davies

*Funds to the Department of Fish, Wildlife, and Parks for Grants to Establish and Improve Shooting Ranges*

An act appropriating money to the Department of Fish, Wildlife, and Parks for grants for the establishment and improvement of shooting ranges; establishing shooting range development grants and criteria for grants; and providing an effective date and a termination date.

Committee Hearings:

House Fish, Wildlife and  
Parks  
Senate Finance and Claims

Second Reading Votes:

House 85-14; Senate 48-2

Third Reading Votes:

House 82-18; Senate 44-6

Senate amended, House concurred, 83-15.

♣HB 435 Paul Clark

*Revise FWP Commission Authority to Develop Disabled Hunter Program*

An act revising the powers of the Fish, Wildlife, and Parks Commission to allow the commission to adopt rules regarding the establishment of special licenses or permits, seasons, conditions, programs, or other provisions that the commission considers appropriate to promote or enhance hunting by persons with disabilities; and providing an immediate effective date.

Amending section 87-1-301, MCA.

Committee Hearings: House Fish, Wildlife and Parks  
Senate Fish and Game

Second Reading Votes: House 85-15; Senate 48-0

Third Reading Votes: House 85-14; Senate 48-0

Senate amended, House concurred, 87-11.

♣HB 478 George Golie

*Limit Nonresident Upland Game Bird Licenses*

An act allowing the Fish, Wildlife, and Parks Commission to set the number of nonresident upland game bird licenses sold if certain conditions are met; providing that the licenses may be awarded through a drawing; allowing the commission to develop rules for group license applications; increasing the license fee to \$110; and providing a delayed effective date and a termination date.

Amending section 87-2-402, MCA.

Committee Hearings: House Fish, Wildlife and Parks  
Senate Fish and Game

Second Reading Votes: House 58-42; Senate 31-18  
Third Reading Votes: House 69-28; Senate 28-22

Senate amended, House did not concur, 71-25.  
Free conference committee report adopted: House 68-32, Senate 31-18.

◆ HB 533 Steven Gallus

*Revise Youth Hunting and Conservation Laws*

An act establishing a youth combination sports license to allow a resident minor to fish and hunt upland and migratory game birds, deer, and elk; providing penalties for an adult who uses a youth combination sports license; allowing a resident minor to fish and hunt upland and migratory game birds with only a conservation license; and providing a delayed effective date and a termination date.

Amending sections 87-2-411 and 87-2-805, MCA.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes: House 69-30; Senate 49-1  
Third Reading Votes: House 69-31; Senate 46-4

Senate amended, House did not concur, 97-1.  
Free conference committee report adopted: House 79-21, Senate 41-9.

◆ HB 629 Doug Mood

*Blackfoot River Recreation Management*

An act directing the Department of Fish, Wildlife, and Parks to conduct a comprehensive study of Blackfoot River use and conflict and report the department's findings and conclusions to the 57th Legislature.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes: House 91-8; Senate 48-0  
Third Reading Votes: House 91-7; Senate 48-0

♣HB 647 Bob Raney

*Create the Bull Trout and Cutthroat Trout Enhancement Program*

An act creating the Bull Trout and Cutthroat Trout Enhancement Program; providing for the enhancement of Montana bull trout and cutthroat trout populations through voluntary enhancement of spawning areas and other habitats for the natural reproduction of bull trout and cutthroat trout; directing that a portion of funding from various sources, including funds appropriated or available to the Department of Fish, Wildlife, and Parks and from the interest on the Resource Indemnity Trust Fund, be used to fund the Bull Trout and Cutthroat Trout Enhancement Program; directing the Department of Fish, Wildlife, and Parks to administer the program; appropriating funds for the enhancement program; revising the membership of the future fisheries review panel and extending the termination date of the future fisheries improvement program; and providing effective dates and a termination date.

Amending sections 15-38-202 and 87-1-273, MCA, and section 5, chapter 463, Laws of 1995.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes: House 73-24; Senate 32-18  
Third Reading Votes: House 80-18; Senate 27-23

Senate amended, House concurred, 83-15.

♣HJ 4 Allan Walters

*Urge Opposition to Grizzly Reintroduction in the Selway-Bitterroot*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana objecting to the release of grizzly bears into the Selway-Bitterroot Wilderness and Frank Church River-of-No-Return Wilderness; urging an end to control of grizzly bear population management by the United States Fish and Wildlife Service and the return of grizzly bear management to the fish and game agencies of the affected states; requesting removal of the grizzly bear from the list of threatened or endangered species based upon evidence of population viability; and urging the acceptance of liability for damages from the grizzly bear recovery program by the United States government if introduction measures are undertaken successfully.

Committee Hearings:	House Fish, Wildlife and Parks Senate Fish and Game
---------------------	---

Second Reading Votes:	House 71-27; Senate 36-12
Third Reading Votes:	House 72-24; Senate 38-10

♣HJ 11 Aubyn Curtiss

*Encourage State Authority in Western Water Issues*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana encouraging that any new or revised federal policy recognize and incorporate western state authorities and interests in water resource policies and issues.

Committee Hearings:	House State/Federal Relations Senate Natural Resources
---------------------	--

Second Reading Votes:	House 84-16; Senate 30-11
Third Reading Votes:	House 71-28; Senate 39-10

♣HJ 17 Aubyn Curtiss

*Interior Columbia Basin Ecosystem Management Project*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the federal government to take certain actions concerning the Interior Columbia Basin Ecosystem Management Project.

Committee Hearings:	House State/Federal Relations Senate Natural Resources
Second Reading Votes:	House 57-42; Senate 32-13
Third Reading Votes:	House 59-40; Senate 31-18

♣HJ 33 Dick Haines

*Interim Study on Funding and Management of Wildlife Resources*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to designate an appropriate interim committee to study sources and levels of funding for the conservation and management of fish and wildlife resources and to study the historic and current responsibilities of the Department of Fish, Wildlife, and Parks.

Committee Hearings:	House Fish, Wildlife and Parks Senate Fish and Game
Second Reading Votes:	House 84-15; Senate 36-14
Third Reading Votes:	House 86-14; Senate 38-12

♣SB 59 Jack Wells

*Generally Revise Fish and Game Licensing Statutes*

An act generally revising fish and game licensing statutes; authorizing the

Department of Fish, Wildlife, and Parks to establish hunting license preference systems; clarifying when a 12-year-old person may hunt; establishing additional application fees applicable to resident and nonresident hunting license applicants who choose to participate in a commission-adopted preference system; allowing a nonresident to pay \$25 to participate in a preference system for deer and elk permits; and providing a delayed effective date.

Amending sections 87-1-301, 87-2-113, 87-2-401, 87-2-402, 87-2-404, 87-2-501, 87-2-504, 87-2-505, 87-2-507, 87-2-508, 87-2-510, 87-2-701, and 87-2-711, MCA.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Votes: Senate 48-0; House 86-14

Third Reading Votes: Senate 49-1; House 88-11

House amended, Senate did not concur, 50-0.

Conference committee report adopted: Senate 50-0, House 93-7.

◆SB 91 Chuck Swysgood

*Extend Fishing Access Site Operation and Maintenance Program*

An act extending for 4 years the termination date on the requirement that at least 50 percent of fishing license fees reserved for fishing access sites be allocated for the operation and maintenance of fishing access sites and stream, river, and lake frontages and be prioritized and expended for weed control, streambank restoration, and general operation and maintenance; requiring a report on program success to the 58th Legislature; and providing an immediate effective date.

Amending sections 2 and 4, chapter 428, Laws of 1995.

Committee Hearings: Senate Fish and Game  
House Agriculture

Second Reading Votes:

Senate 48-0; House 96-2

Third Reading Votes:

Senate 50-0; House 97-2

↳ SB 171 Ken Mesaros

*Landowner Permission Required for All Hunting*

An act providing that landowner permission is required for all hunting on private property; providing a penalty for a first offense; requiring the cooperative development of land ownership maps to assist in boundary identification; and providing an effective date.

Amending section 87-3-304, MCA.

Committee Hearings:

Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes:

Senate 30-16; House 56-44

Third Reading Votes:

Senate 31-19; House 53-45

House amended, Senate concurred, 30-19.

↳ SB 196 Ken Mesaros

*Brucellosis Vaccination Requirements to be Adopted by Rule; Repealing Statutes*

An act repealing the statutory requirements for brucellosis vaccination of imported livestock; and allowing brucellosis vaccination requirements to be adopted by rule rather than by statute.

Repealing sections 81-2-801 and 81-2-805, MCA.

Committee Hearings:

Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 50-0; House 96-4  
Third Reading Votes: Senate 49-0; House 96-3

♠ SB 241 Steve Doherty

*Revise Laws Governing Licenses for Disabled Hunters*

An act revising the laws governing licenses for disabled hunters; allowing a person who has purchased certain licenses for a license year and who is subsequently certified as disabled to be eligible for a refund or reissuance of the licenses at the statutory rate; requiring that a designated companion assist a blind hunter in hunting and field dressing game; providing definitions; and granting rulemaking authority for establishment of review boards to resolve disputes.

Amending section 87-2-803, MCA.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Votes: Senate 50-0; House 80-18  
Third Reading Votes: Senate 46-2; House 81-17

House amended, Senate concurred, 50-0.

♠ SB 293 Al Bishop

*Prohibit Falconers from Using Certain Listed Species for the Sport of Falconry*

An act prohibiting falconers from using certain listed species for the sport of falconry; and providing an immediate effective date.

Amending section 87-5-205, MCA.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Votes:

Senate 48-0; House 90-9

Third Reading Votes:

Senate 47-0; House 90-10

House amended, Senate concurred, 50-0.

↳ SB 334 Ken Mesaros

*Revise Laws Related to Outfitters*

An act revising laws related to outfitters; revising the membership and appointment procedures of the Board of Outfitters; defining "net client hunter use" and establishing criteria to be applied by the Board of Outfitters and the Department of Fish, Wildlife, and Parks in determining whether an expansion of net client hunter use is allowable; providing additional definitions; establishing fees; providing for allocation of the revenue generated by the fees; and providing effective dates.

Amending sections 2-15-1833, 37-47-101, 37-47-201, and 37-47-306, MCA.

Committee Hearings:

Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Votes:

Senate 49-0; House 77-23

Third Reading Votes:

Senate 48-1; House 83-17

House amended, Senate did not concur, 50-0.

Conference committee report adopted: Senate 48-2, House 50-49.

Motion failed to reconsider previous action (House 3rd reading adoption of committee report) and place on 2nd reading.

↳ SB 338 Ken Mesaros

*Revise Hunter Management and Hunting Access Enhancement Management Programs*

An act revising the hunter management and hunting access enhancement

management programs; extending the termination date regarding those programs and extending the moratorium on licensing of new outfitters; capping the number of available land-based hunting outfitter licenses; revising the advisory authority of the program review committee; increasing the cost of nonresident upland game bird licenses and providing that the fee increase be used by the Department of Fish, Wildlife, and Parks to encourage public access to private lands for hunting purposes; providing that the Department of Fish, Wildlife, and Parks issue up to two resident-sponsored class B-11 licenses to two applicants sponsored by any resident landowner who owns 640 or more contiguous acres and requests the licenses as a resident sponsor; and providing effective dates and a termination date.

Amending sections 37-47-315, 87-1-269, 87-2-402, and 87-2-511, MCA; and amending section 18, chapter 459, Laws of 1995.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Votes: Senate 38-11; House 90-10  
Third Reading Votes: Senate 40-9; House 88-12

House amended, Senate did not concur, 48-2.  
Conference committee report adopted: Senate 45-5, House 79-20.

◆ SB 361 Ken Mesaros

*Revise Alternative Livestock Producers Regulatory Authority*

An act revising definitions and terminology related to game farms and game farm animals to mean alternative livestock ranches and alternative livestock; increasing annual license renewal fees; revising licensing requirements, requirements for removal of game animals from alternative livestock ranches and rulemaking requirements; renaming the Game Farm Advisory Council as the Alternative Livestock Advisory Council and revising council duties with regard to review of license applications; requiring adoption of a programmatic review process to assess

environmental impacts associated with a new alternative livestock ranch; and providing effective dates.

Amending sections 81-1-102, 81-2-102, 81-2-702, 81-3-102, 81-9-217, 87-4-406, 87-4-407, 87-4-408, 87-4-409, 87-4-410, 87-4-411, 87-4-412, 87-4-413, 87-4-414, 87-4-415, 87-4-416, 87-4-417, 87-4-418, 87-4-419, 87-4-420, 87-4-422, 87-4-423, 87-4-424, 87-4-426, 87-4-427, 87-4-428, and 87-4-432, MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 25-24; House 56-43

Third Reading Votes: Senate 26-24; House 56-43

House amended, Senate concurred, 34-16.

Governor amended: Senate concurred, 45-4; House concurred, 65-34.

☞ SB 381 Duane Grimes

*Generally Revise Hunter Education Laws and Penalties for Violations*

An act generally revising hunter education laws and penalties for hunting violations; establishing mandatory sentencing guidelines for repeat offenders of hunting laws; providing penalties for violators of Fish, Wildlife, and Parks Commission or department orders and rules; allowing the department to establish an adult hunter education class; establishing a remedial hunter education course for hunting law violators; and providing effective dates.

Amending sections 27-1-721, 87-1-102, 87-1-114, 87-2-102, and 87-2-105, MCA.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Votes:

Senate 48-1; House 78-22

Third Reading Votes:

Senate 44-4; House 80-19

House amended, Senate concurred, 50-0.

♣SB 384 Ken Mesaros

*Revise Statutes Related to Roadside Menageries and Zoos*

An act revising statutes related to roadside menageries and zoos; creating wild animal menageries and providing for terms of operation of wild animal menageries, including the keeping of bears and large cats; clarifying permit application requirements; providing that roadside and wild animal menageries and zoos may obtain captive-bred wild animals from a licensed zoo, roadside or wild animal menagerie, game farm, fur farm, game bird farm, or animal rehabilitation center; and revising definitions.

Amending sections 87-4-406, 87-4-801, 87-4-802, 87-4-803, 87-4-804, and 87-4-806, MCA; and repealing section 87-4-805, MCA.

Committee Hearings:

Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes:

Senate 48-0; House 79-21

Third Reading Votes:

Senate 47-2; House 85-15

♣SB 439 John Hertel

*Revise Definitions Applicable to Licensure of Guest Ranches/Related Occupations*

An act revising the definitions of "seasonal establishment" and "small establishment" as the definitions apply to the licensure of guest ranches and outfitting and guide facilities to ensure that the number of guests for whom accommodations are provided during the establishment's season of operation is determined by using an average.

Amending section 50-51-102, MCA.

Committee Hearings: Senate Business and Industry  
House Business and Labor

Second Reading Votes: Senate 49-0; House 94-3  
Third Reading Votes: Senate 48-0; House 92-5

House amended, Senate concurred, 49-0.

↳ SB 458 Fred Thomas

*Revise Restitution Amounts for Certain Illegally Taken Species*

An act revising the restitution and penalties for illegally killing or possessing game animals.

Amending sections 87-1-102, 87-1-111, 87-1-112, 87-1-113, 87-1-114, 87-1-803, 87-1-804, and 87-3-118, MCA.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and Parks

Second Reading Votes: Senate 46-3; 48-52  
Third Reading Vote: Senate 44-4

Segregated from the committee of the whole report after failed House 2nd reading.

Second Reading Vote: House 85-14  
Third Reading Vote: House 83-15

House amended, Senate did not concur, 50-0.  
Free conference committee report adopted: Senate 47-3, House 81-16.

♠SJ 20 Bea McCarthy

*Support Fish and Wildlife Balance of Needs Through Science-Based Rule Curves*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana supporting the balance of the needs of native anadromous fish and resident fish and wildlife through the use of science-based integrated rule curves.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 41-9; House 92-5

Third Reading Votes: Senate 38-12; House 87-10

House amended, Senate concurred, 46-4.

Failed

♠HB 26 Sam Kitzenberg

*Warm Water Game Fish Stamp to Support Ft. Peck Hatchery*

An act creating the warm water game fish surcharge and warm water game fish stamp that will allow a licensee to fish for warm water game fish; dedicating surcharge revenue; creating an account and providing for administration of the account by the Department of Fish, Wildlife, and Parks; submitting the surcharge to the electorate; and providing a contingent voidness provision.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Vote: House 57-43

Third Reading Vote: House 51-47

Tabled in Senate Committee.

☛ HB 267 Brad Molnar

*Separated and General B-17 Hunting Licenses May Not Be Sold*

An act providing that class B-7 nonresident deer tags may not be sold separately, but only as part of a class B-10 or class B-11 nonresident combination license; providing that class B-7 licenses that are separated from class B-10 licenses may not be sold separately or sold as part of a class B-11 combination license; and providing an immediate effective date.

Amending sections 87-1-242, 87-2-504, and 87-2-512, MCA.

Committee Hearings:	House Fish, Wildlife, and Parks Senate Fish and Game
---------------------	--

Second Reading Vote:	House 50-49
----------------------	-------------

Third Reading Vote:	House 61-39
---------------------	-------------

Tabled in Senate committee.

☛ HB 285 Rick Jore

*Revise Requirements for Hunting and Fishing Licensure*

An act revising fish and game licensing requirements by reducing from 180 to 30 the number of consecutive days a person must reside in Montana to be eligible to purchase a resident license; and reducing from 18 years to 16 years the age at which a resident or nonresident may be issued hunting licenses without proof of competency.

Amending sections 87-2-102 and 87-2-105, MCA.

Committee Hearing:	House Fish, Wildlife and Parks
--------------------	-----------------------------------

Tabled in House committee.

☛ HB 291 Hal Harper

*Hunting and Fishing Violator Program*

An act establishing an ethics education pilot program for individuals whose hunting or fishing licenses have been suspended or revoked, who injure persons or property in state parks or on state lands, who commit the offense of criminal trespass, or who negligently or recklessly operate a motorboat; allowing a sentencing court to order public community service in addition to other fines and penalties; requiring the Department of Fish, Wildlife, and Parks to develop rules governing administration of the program; requiring that a course be completed before a license may be reissued; requiring the department to evaluate the pilot program and report its findings and recommendations to the 2001 Legislature; and providing effective dates and a termination date.

Committee Hearing:

House Fish, Wildlife and  
Parks

Missed deadline for general bill transmittal.

☛ HB 315 Bob Raney

*Provide for Establishment of Primitive Fishing Access Sites*

An act requiring that the Fish, Wildlife, and Parks Commission rules provide for the establishment of primitive fishing access sites; requiring that the rules address the scope and nature of the development allowed at primitive fishing access sites; eliminating user fees at primitive fishing access sites for a person who possesses a valid state parks passport; and providing an effective date.

Amending section 23-1-105, MCA.

Committee Hearings:

House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes:

House 64-33; Senate 33-16

Third Reading Votes:

House 71-27; Senate 39-11

Senate amended, House did not concur, 82-16.

Motion in Senate to adopt free conference committee report failed 3 times.

Motion in Senate to reject free conference committee report failed once.

Second reading vote indefinitely postponed, 27-23.

Died in process.

☛ HB 332 Allan Walters

*Revise Mountain Lion Hunting*

An act allowing a nonresident and resident mountain lion hunter to take up to two mountain lions each hunting season; allowing a nonresident and resident to purchase a class D-1 and D-2 license, respectively, at any time during the hunting season; restricting the purchase of a trophy license to male mountain lions; and providing an effective date.

Amending sections 87-2-507, 87-2-508, and 87-2-702, MCA.

Committee Hearing:

House Fish, Wildlife and  
Parks

Tabled in House committee.

☛ HB 344 Bob Raney

*Fishery Value Consideration When Purchasing Wildlife Easements*

An act requiring that the value of fisheries be analyzed when acquisition of a habitat easement is considered and that when a fishery value exists, the fishery be considered for part of the habitat acquisition; and providing an immediate effective date.

Amending sections 23-1-102, 87-1-209, and 87-1-241, MCA.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Vote: House 78-17  
Third Reading Vote: House 81-19

Tabled in Senate committee.

☛ HB 380 Bill Rehbein

*Require Permission to Hunt and Fish on Private Land*

An act requiring a person who desires to enter or remain upon land to obtain the explicit permission of the landowner or other authorized person, except for certain incidental purposes; eliminating the provision that permission to enter land is extended by failure to post notice denying entry; and providing that landowner permission is required for entry onto private property for all hunting and certain fishing.

Amending sections 45-6-201 and 87-3-304, MCA.

Committee Hearing: House Judiciary

Tabled in House committee.

☛ HB 398 Brad Molnar

*Generally Revise Fish and Game Laws - Public Access Program*

An act generally revising fish and game laws; allowing the Department of Fish, Wildlife, and Parks to develop, operate, and maintain permanent access to public lands; establishing the public access program; creating an account funded by \$1 from each sale of a resident big game hunting license to be used as matching funds by eligible nonprofit organizations to gain permanent access to public lands and to provide, defend, investigate, protect, and acquire, by agreement between a willing seller and willing

buyer, public access to public lands; and providing an effective date and a termination date.

Amending section 87-1-209, MCA.

Committee Hearing: House Fish, Wildlife and Parks

Second Reading Vote: House 43-57

☛ HB 427 Rick Jore

*Terminate State-Tribal Cooperative Hunting-Fishing Agreement*

An act terminating the state-tribal hunting and fishing cooperative agreement between the Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation and the State of Montana; eliminating the provision that an agreement negotiated between the state and the tribes does what is necessary to grant to tribal Indians free state permits to hunt and fish off reservation on open and unclaimed lands or to allow Indians to hunt without licenses, permits, or stamps; requiring the transfer to the Tribal Council of funds equal to fish and wildlife violation fines and restitution under certain circumstances; providing additional statutory criteria to be applied upon a renegotiation of the agreement; and providing an immediate effective date and an applicability date.

Amending section 87-1-228, MCA.

Committee Hearing: House Fish, Wildlife and Parks

Tabled in House committee.

☛ HB 440 Matt Brainard

*County Notification to the Fish, Wildlife and Parks Commission of Predator Alert*

An act requiring that if a Board of County Commissioners determines

that an increase in predator populations presents an increased threat to livestock, wildlife, or public health, safety, or welfare in that county, the Board of County Commissioners may declare a "predator alert", identifying the problem predator species, and shall notify the Fish, Wildlife, and Parks Commission of that threat; requiring the Fish, Wildlife, and Parks Commission, upon notification, to suspend restrictions, license requirements, and bag limits on the taking of the problem predator species for a period not to exceed 12 months, during which time the Fish, Wildlife, and Parks Commission shall analyze the situation in that county; and providing an immediate effective date.

Committee Hearings: House Agriculture  
Senate Fish and Game

Second Reading Vote: House 62-37  
Third Reading Vote: House 59-39

Tabled in Senate committee.

☛ HB 463 Paul Clark

*Revise Annual License Renewal Fees for Game Farms*

An act revising game farm license annual renewal fees; and providing a contingent voidness provision.

Amending section 87-4-411, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

☛ HB 464 Paul Clark

*Submit Revised License Fee for Game Farms to Electorate*

An act increasing the initial game farm license fee for a game farm with 1 to 20 game farm animals; submitting the fee increase to the electorate;

providing a contingent voidness provision; and providing an effective date.

Amending section 87-4-411, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

☞HB 465 Paul Clark

*Submit Game Farm Initial License Fee Increase to Electors*

An act increasing the initial game farm license fee for a game farm with 21 to 60 game farm animals; submitting the fee increase to the electorate; providing a contingent voidness provision; and providing an effective date.

Amending section 87-4-411, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

☞HB 466 Paul Clark

*Submit License Fee Increase for Large Game Farms to Electors*

An act increasing the initial game farm license fee for a game farm with more than 60 game farm animals; submitting the fee increase to the electorate; providing a contingent voidness provision; and providing an effective date.

Amending section 87-4-411, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

☛ HB 488 Doug Wagner

*Clarify Recreational Use of State Land for No Charge to Residents*

An act submitting to the qualified electors of Montana an amendment to Article X, section 11, of the Montana Constitution to allow the state to require a license or charge a fee for general recreational use of state trust lands; and providing an effective date.

Committee Hearings: House Fish, Wildlife and Parks  
Senate Fish and Game

Second Reading Votes: House 57-40; Senate 11-39

Third Reading Votes: House 69-31; Senate 11-39

Senate amended, House did not concur, 92-7.

Conference committee report rejected by Senate, 16-34.

☛ HB 491 Paul Clark

*Revise Game Farm Law - Prohibit Fee Shooting and Certain Advertising*

An act prohibiting fee shooting on game farms; and prohibiting the use of certain language in game farm advertising.

Amending section 87-4-414, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

☛ HB 534 Steven Gallus

*Submit Youth Combination Sports License to Electorate*

An act submitting to the electorate the \$10 youth combination sports license fee; providing a contingent voidness provision; and providing an

effective date.

Amending section 87-2-805, MCA.

Committee Hearings:	House Fish, Wildlife and Parks Senate Fish and Game
---------------------	---

Second Reading Vote:	House 73-25
----------------------	-------------

Third Reading Vote:	House 76-23
---------------------	-------------

Tabled in Senate committee.

☛ HB 548 Bob Raney

*Prohibit Introduction of New Species in the State*

An act prohibiting the importation for introduction or the transplantation or introduction of any wildlife; providing definitions of "reintroduction" and "retranslocation"; and providing an effective date.

Amending sections 87-5-701, 87-5-702, 87-5-704, 87-5-711, 87-5-713, and 87-5-714, MCA.

Committee Hearings:	House Fish, Wildlife and Parks Senate Fish and Game
---------------------	---

Second Reading Vote:	House 59-37
----------------------	-------------

Third Reading Vote:	House 69-29
---------------------	-------------

Tabled in Senate committee.

☛ HB 550 Bill Rehbein

*Eliminate Upland Game Bird Enhancement Program; Specify License Fee Revenue Use*

An act eliminating the upland game bird enhancement program; requiring the Department of Fish, Wildlife, and Parks to use money from upland game bird licenses for upland game bird habitat enhancement through rangeland improvements; and providing a delayed effective date.

Amending section 87-1-246, MCA; and repealing sections 87-1-247, 87-1-248, 87-1-249, and 87-1-250, MCA.

Committee Hearings: House Fish, Wildlife and Parks  
Senate Fish and Game

Second Reading Vote: House 77-22  
Third Reading Vote: House 68-30

Tabled in Senate committee.

☛ HB 591 Matt Brainard

*Generally Revise Fish, Wildlife and Parks Laws*

An act generally revising fish and game laws; conforming law enforcement practices of the Department of Fish, Wildlife, and Parks with the practices of other law enforcement entities; providing increased opportunities for persons with disabilities to participate in hunting with a companion; and creating a reasonable and prudent person standard for the application of rules for game identification.

Amending sections 87-1-207, 87-1-506, 87-2-103, and 87-2-803, MCA.

Committee Hearing: House Fish, Wildlife and Parks

Tabled in House committee.

◆HB 594 Brad Molnar

*Generally Revise Fish and Game Laws*

An act generally revising fish and game laws; increasing various nonresident hunting license fees; allocating the increased revenue to the Department of Fish, Wildlife, and Parks state special revenue fund for general department expenses; allocating money raised from variably priced class B-10 and class B-11 licenses to the state special revenue fund for general department expenses; creating block management oversight committees in each Department of Fish, Wildlife, and Parks administrative region and setting out oversight committee membership and duties; statutorily appropriating \$4 million annually from the Fish, Wildlife, and Parks state special revenue account to fund the hunter management and hunting access enhancement programs; and providing a termination date.

Amending sections 17-7-502, 87-1-268, 87-2-403, 87-2-504, and 87-2-701, MCA.

Committee Hearing: House Fish, Wildlife and Parks

Second Reading Vote: House 45-54

◆HB 633 Rod Bitney

*Forest Land Management*

An act prohibiting the state Department of Fish, Wildlife, and Parks from issuing an approval or permit to the U.S. Forest Service for a project that includes the obliteration of an existing forest system road until procedures for the issuance have been reviewed; and providing an immediate effective date.

Amending section 87-5-504, MCA.

Committee Hearings: House Transportation  
Senate Fish and Game

Second Reading Vote:

House 65-35

Third Reading Vote:

House 64-34

Tabled in Senate committee.

☛ HB 643 Gail Gutsche

*Require Scientifically Based Risk Management Brucellosis Bison Plan*

An act revising statutes related to bison management; transferring primary administrative authority over wild buffalo or bison from the Department of Livestock to the Department of Fish, Wildlife, and Parks; eliminating the provision that brucellosis-free wild buffalo or bison may be sold; defining "low-risk bison" and providing that low-risk bison are not subject to brucellosis testing or treatment; requiring the Department of Livestock to notify affected states of Montana's adoption of the definition of "low-risk bison"; requiring the Department of Fish, Wildlife, and Parks to determine the ecological bison-carrying capacity on public lands adjacent to Yellowstone National Park and to develop a plan, in conjunction with the Tribal Leadership Council, for managing that carrying capacity; requiring the Department of Fish, Wildlife, and Parks and the Department of Livestock to report to the 57th Legislature regarding state bison management and any progress on the development of a long-range bison management plan; and providing an immediate effective date.

Amending sections 81-2-120 and 87-1-216, MCA.

Committee Hearing:

House Agriculture

Tabled in House committee.

☛ HB 664 Hal Harper

*Negotiate for Acquisition of Former Montana Power Company Lands*

An act authorizing the Fish, Wildlife, and Parks Commission to acquire certain eligible lands for fishing, hunting, general recreation, public access,

fish and wildlife habitat, and flood control purposes; restricting the development of acquired eligible lands; providing the commission with rulemaking authority; creating an eligible lands special revenue account; appropriating up to \$3 million from the tax revenue proceeds of any sale of energy generation assets; and providing an effective date and a termination date.

Committee Hearing: House Appropriations

Tabled in House committee.

☛ SB 58 Jack Wells

*Submit Additional Hunting License Drawing Fee to Vote*

An act establishing an additional license drawing fee applicable to hunting license applicants who choose to participate in a commission-adopted preference system for a species; submitting the fee to the electorate; and providing an effective date.

Amending section 87-2-113, MCA.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Vote: Senate 48-0

Third Reading Vote: Senate 47-3

Tabled in House committee.

☛ SB 324 Ken Miller

*Submit Decrease in Nonresident Hunting Licenses to Electors*

An act submitting to the electors the requirement that the Department of Fish, Wildlife, and Parks reduce by 10 percent each year for 4 years the numbers of nonresident big game licenses that are authorized for sale; and

providing an effective date.

Amending sections 87-1-268, 87-2-504, 87-2-505, 87-2-506, 87-2-507, 87-2-510, 87-2-511, and 87-2-512, MCA.

Committee Hearing:

Senate Fish and Game

Tabled in Senate committee.

☛ SB 335 Ken Mesaros

*Submit Outfitter Per Camp Fee to Electorate*

An act requiring outfitters operating a hunting camp in more than one Department of Fish, Wildlife, and Parks administrative region to pay a fee of \$5,000 for each camp located beyond a 100-mile radius of the outfitters' base of operations and in a region other than the region containing the outfitters' base of operations; providing exceptions; submitting the fee to the electorate; providing a contingent voidness provision; and providing an effective date.

Committee Hearings:

Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Vote:

Senate 49-0

Third Reading Vote:

Senate 47-2

Tabled in House committee.

☛ SB 336 Ken Mesaros

*Submit Outfitter Net Client Use Fee to Electorate*

An act establishing a fee of \$500 for each client added to an outfitter's operations plan through a granted net client hunter use expansion; submitting the fee to the electorate; providing a contingent voidness provision; and providing an effective date.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Vote: Senate 49-0

Third Reading Vote: Senate 47-2

Tabled in House committee.

☛ SB 337 Ken Mesaros

*Submit Outfitter Client Fee Increase to Electorate*

An act establishing an annual fee of \$10 for each client served, payable by an outfitter who operates on leased private land; submitting the fee to the electorate; providing a contingent voidness provision; and providing an effective date.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Vote: Senate 49-0

Third Reading Vote: Senate 47-2

Tabled in House committee.

☛ SB 339 Ken Mesaros

*Submit Resident Combination Access/Habitat Fee to Electorate*

An act increasing the resident combination fishing and hunting wildlife conservation license by \$4; submitting the fee increase to the electorate; providing a contingent voidness provision; providing a termination date; and providing an effective date.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Vote: Senate 41-7  
Third Reading Vote: Senate 42-7

Tabled in House committee.

☛ SB 340 Ken Mesaros

*Submit Resident Upland Game Bird License Fee to Electorate*

An act increasing the resident upland game bird license fee by \$4; submitting the fee increase to the electorate; providing a contingent voidness provision; providing an effective date; and providing a termination date.

Amending section 87-2-401, MCA.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Vote: Senate 40-9  
Third Reading Vote: Senate 42-7

Tabled in House committee.

☛ SB 341 Ken Mesaros

*Submit Resident Only Wildlife Conservation License Fee to Electorate*

An act increasing the resident hunting only wildlife conservation license by \$1; submitting the fee increase to the electorate; providing a contingent voidness provision; providing a termination date; and providing an effective date.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Vote:

Senate 39-10

Third Reading Vote:

Senate 43-6

Tabled in House committee.

☛ SB 392 Ric Holden

*Statewide Predatory Animal Bounty Program*

An act revising the Statewide Predator Bounty Program administered cooperatively between the Department of Livestock and the Department of Fish, Wildlife, and Parks; providing funding for the Department of Livestock bounty program from a per capita tax on cattle and sheep; providing funding for the Department of Fish, Wildlife, and Parks bounty program from an increase in the fee for a wildlife conservation license; increasing the fee that a bounty inspector may collect for examining a skin or carcass; revising the time period during which bounty claims may be paid; providing a contingent voidness provision; and providing effective dates and a termination date.

Amending sections 15-24-922, 81-7-104, 81-7-105, 81-7-111, 81-7-112, 81-7-113, 81-7-114, 81-7-117, 81-7-118, 81-7-120, 81-7-122, and 87-2-202, MCA; and repealing sections 81-7-115 and 81-7-116, MCA.

Committee Hearing:

Senate Agriculture,  
Livestock and Irrigation

Tabled in Senate committee.

☛ SB 418 Chuck Swysgood

*Clarify Road Right-of-Way*

An act clarifying the scope of bridge easements on county and state rights-of-way; prohibiting the use of a right-of-way for recreational access to the underlying streambed or watercourse unless that access is specifically stated in the easement; and providing applicability dates.

Amending sections 7-14-2107, 7-14-2112, 60-1-103, and 60-4-101, MCA.

Committee Hearing:

Senate Fish and Game

Tabled in Senate committee.

¶ SB 445 Chuck Swysgood

*Beaverhead/Big Hole Outfitter Tag and River Use*

An act requiring guides, professional guides, and outfitters who wish to operate on Montana rivers to obtain and display an outfitter boat tag; providing restrictions on outfitting and guiding activity on the Beaverhead and Big Hole Rivers; urging the Department of Fish, Wildlife, and Parks to facilitate a consensus process for addressing river conflicts and to develop river recreation management plan proposals and suggesting requirements to be included in the plans; establishing an account; requiring the Fish, Wildlife, and Parks Commission to develop rules regarding implementation of recreation resource management plans for the Beaverhead and Big Hole Rivers; and providing an immediate effective date.

Committee Hearings:

Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Vote:

Senate 43-6

Third Reading Vote:

Senate 43-6

Taken from committee and placed on House 2nd reading.

Second Reading Vote:

House 53-45

Third Reading Vote:

House 56-42

House amended, Senate concurred, 42-3.

Governor vetoed.

Veto override failed.

☛ SB 474 Al Bishop

*Clarify Funding Allocation of Habitat Funds*

An act prioritizing the expenditure of money received by the Department of Fish, Wildlife, and Parks through the sale of resident and nonresident upland game bird, combination sports, and big game combination licenses; requiring that upland game bird license revenue be spent first on upland game bird habitat; and limiting participants in the upland game bird enhancement program to the release of 250 fully feathered pheasants that are at least 12 weeks old.

Amending sections 87-1-246, 87-1-247, and 87-1-248, MCA.

Committee Hearing: Senate Fish and Game

Committee hearing canceled.

Missed deadline for general bill transmittal.

- Fish and Wildlife/Other -

Passed

☛ SB 44 Alvin Ellis

*Longer Fish, Wildlife, and Parks Lease for Water Project Lands; Delete Obsolete Cabin Provision*

An act extending the allowed lease term for state water project lands leased to the Department of Fish, Wildlife, and Parks for public recreational use; deleting an expired provision of the cabin site leasing law; and providing an immediate effective date.

Amending section 85-1-802, MCA.

Committee Hearings: Senate Fish and Game  
House Natural Resources

Second Reading Votes:  
Third Reading Votes:

Senate 43-6; House 85-14  
Senate 44-6; House 86-13

Failed

☛ HB 40 Sam Kitzenberg

*Require Fish and Game Commissioners be Elected Rather than Appointed*

An act requiring that Fish, Wildlife, and Parks Commissioners be elected, rather than appointed by the Governor; providing for staggered 4-year terms of office and limiting commission service to not more than two consecutive terms; providing for appointment of a commissioner if a vacancy occurs; and providing an immediate effective date and an applicability date.

Amending section 2-15-3402, MCA.

Committee Hearing:

House Fish, Wildlife and  
Parks

Tabled in House committee.

☛ HB 225 Sam Kitzenberg

*Department of Fish, Wildlife, and Parks Directive and Appropriation for Living Stream Exhibit at Fort Peck*

An act directing the Department of Fish, Wildlife, and Parks to lease land for and develop a living streams interpretive site and exhibit associated with the Fort Peck Interpretive Center; appropriating \$3 million from the state parks trust fund; and providing an effective date and a termination date.

Amending section 15-35-108, MCA.

Committee Hearing:

House Fish, Wildlife, and  
Parks

Tabled in House committee.

☛ HB 417 Paul Clark

*Revise Fish and Game Commission Qualifications to Include Wildlife Biologist*

An act revising the membership qualifications of the Fish, Wildlife, and Parks Commission to include at least one member with experience and expertise as a professional wildlife biologist.

Amending section 2-15-3402, MCA.

Committee Hearing: House Fish, Wildlife and  
Parks

Missed deadline for general bill transmittal.

# Forestry

Passed

♣ HB 458 Karl Ohs

## *Streamside Corridor and Riparian Management*

An act adding assistance with interagency coordination to the water policy duties of the Environmental Quality Council; temporarily requiring the Council to coordinate the compilation, evaluation, and dissemination of educational information related to best management practices for streamside corridors and riparian management; and providing a termination date.

Amending section 85-2-105, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 92-1; Senate 49-0

Third Reading Votes: House 97-2; Senate 50-0

♣ HB 467 Chase Hibbard

## *Allow Off-Highway Vehicles on Certain Forest Development Roads; License Exemption*

An act relating to off-highway vehicle use; allowing off-highway vehicles to use certain forest development roads; and exempting certain young drivers from licensing requirements for use of off-highway vehicles on certain forest development roads.

Amending sections 23-2-821 and 61-5-104, MCA.

Committee Hearings: House Transportation  
Senate Highways and  
Transportation

Second Reading Votes: House 96-4; Senate 50-0  
Third Reading Votes: House 96-4; Senate 50-0

♠ HB 485 Shiell Anderson

*Establish Process to Offer Timber Conservation License in Lieu of Timber Sale*

An act providing for a timber conservation license in lieu of the sale of timber on state trust lands and establishing a bid process for conservation licenses; and providing an immediate effective date.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 74-24; Senate 42-0  
Third Reading Votes: House 71-27; Senate 49-0

♠ HJ 19 Aubyn Curtiss

*Urge Full Funding of Payments in Lieu of Taxes on Federal Lands in Montana*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the full funding of payments in lieu of taxes on federal land in Montana, the proper harvest of the allowable sale quota for timber, and a renewal of the federal government's compact with state and local governments to contribute a fair share of taxes on federal land in Montana.

Committee Hearings: House State/Federal  
Relations  
Senate Taxation

Second Reading Votes: House 66-33; Senate 44-0  
Third Reading Votes: House 67-31; Senate 42-0

♠HJ 26 Rod Bitney

*Urge Monitoring of Road Closures*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the current federal government policies on national forest road closures and obliteration be suspended and that Congress reaffirm its directives that forest lands be managed in accordance with forest plans that provide for multiple-use management.

Committee Hearings:	House State/Federal Relations Senate Agriculture, Livestock and Irrigation
---------------------	---

Second Reading Votes:	House 74-25; Senate 48-0
-----------------------	--------------------------

Third Reading Votes:	House 74-25; Senate 43-1
----------------------	--------------------------

Senate amended, House concurred, 75-24.

♠SB 411 William Crismore

*Annual Report on Trust Land Return*

An act requiring the Board of Land Commissioners to provide annual reports regarding the average return of revenue on asset value to trust beneficiaries of forested lands; describing the method for calculating average return and asset value; and providing an effective date.

Committee Hearings:	Senate Natural Resources House Natural Resources
---------------------	---

Second Reading Votes:	Senate 31-17; House 73-26
-----------------------	---------------------------

Third Reading Votes:	Senate 35-14; House 73-24
----------------------	---------------------------

House amended, Senate concurred, 49-1.

♣ SB 412 Spook Stang

*Revise the Requirements for the Control and Management of Timber Slash*

An act generally revising the requirements for control and management of timber slash; clarifying that fire hazard reduction agreements apply only to private forest lands; requiring the Department of Natural Resources and Conservation to adopt fire hazard reduction rules; revising the bond provision and release procedures; and providing an effective date and an applicability provision.

Amending sections 76-13-401, 76-13-403, 76-13-408, 76-13-409, 76-13-410, 76-13-411, 76-13-412, 76-13-414, and 76-13-415, MCA.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 48-0; House 92-2

Third Reading Votes: Senate 49-0; House 97-2

Failed

♣ HB 363 Dianna Wyatt

*Clarify Authority of Cities and Towns to Establish Park and Forestry Maintenance Districts*

An act authorizing park and forestry maintenance districts.

Committee Hearing: House Local Government

Second Reading Vote: House 47-52

Motion failed to reconsider previous action (2nd reading vote).



☞ SB 515 Bob Keenan

*Submit Forest Land Rollback Tax to Electors*

An act imposing a rollback property tax on certain forest land that has been converted to another use; submitting the rollback property tax to the electorate; providing a contingent voidness provision; and providing an effective date and an applicability date.

Committee Hearing:

Senate Taxation

Missed deadline for revenue bill transmittal.

## Land Use

### - Eminent Domain -

Passed

☛ HJ 34 Carley Tuss

#### *Interim Study of Eminent Domain Laws and Use*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to designate an appropriate interim committee to study use of the power of eminent domain and the existing statutes related to eminent domain and requiring that committee to report on its findings and recommendations.

Committee Hearings:

House Business and Labor  
Senate State Administration

Second Reading Votes:

House 97-1; Senate 50-0

Third Reading Votes:

House 97-3; Senate 41-9

Failed

☛ HB 28 Mark Noennig

#### *Way of Necessity Procedure for Historic Uses*

An act revising the laws relating to private condemnation proceedings for the opening of private roads over private lands; providing that the public uses on behalf of which the right of eminent domain may be exercised include private roads that have been historically used and that are necessary for access to private property; and providing a retroactive applicability date.

Amending sections 70-30-102 and 70-30-107, MCA.

Committee Hearing:

House Judiciary

Tabled in House committee.

☛ HB 354 Monica Lindeen

*Private Property Takings Prevention*

An act providing that a private person or entity taking property by eminent domain may not take possession of the property until all rights of appeal have been exhausted unless the landowner agrees to the possession at an earlier point in time; and providing an immediate effective date.

Amending sections 70-30-311 and 70-30-312, MCA.

Committee Hearing:

House Business and Labor

Tabled in House committee.

☛ HB 355 Lila Taylor

*Private Property Takings Limitations*

An act providing that in an eminent domain proceeding, it is rebuttably presumed that an easement for a private person or entity is sufficient to accomplish the use and that a private person or entity claiming that a greater interest than an easement is necessary to accomplish the use shall show by clear and convincing evidence that the greater interest that is sought is necessary to accomplish the use; clarifying that an easement is limited to the purpose for which it is granted; providing that a condemnee is not liable in tort for the condemnor's actions or omissions in regard to the condemnor's use of the property; and providing an immediate effective date.

Amending sections 70-30-111 and 70-30-309, MCA.

Committee Hearing:

House Business and Labor

Tabled in House committee.

☛ HB 573 Sylvia Bookout-Reinicke

*Revise Eminent Domain Laws*

An act revising eminent domain laws; establishing conditions for the exercise of eminent domain powers for pipelines transporting hazardous and deleterious substances; modifying requirements to be met prior to condemnation; and providing an immediate effective date.

Amending sections 69-13-104, 70-30-111, and 70-30-309, MCA.

Committee Hearing:

House Natural Resources

Tabled in House committee.

☛ SB 461 Bill Glaser

*Revise Eminent Domain Law Relating to Pipelines and Other Delivery Systems*

An act revising the power of eminent domain for pipelines and other delivery systems.

Amending sections 69-13-104 and 70-30-106, MCA.

Committee Hearing:

Senate Judiciary

Tabled in Senate committee.

☛ SB 464 Spook Stang

*Require Pipelines to be Located in Highway Right of Way*

An act requiring the Department of Transportation to allow location of

pipelines in highway rights-of-way under certain conditions.

Amending section 60-5-110, MCA.

Committee Hearing:

Senate Highways and  
Transportation

Tabled in Senate committee.

## - Local Government Regulation/Management -

Passed

♣ HB 205 Bill Tash

*Provide Water Rights Delivery System Easements in Proposed Subdivisions*

An act providing for water rights delivery system easements in proposed subdivisions.

Amending section 76-3-504, MCA.

Committee Hearings:

House Natural Resources  
Senate Local Government

Second Reading Votes:

House 100-0; Senate 40-0

Third Reading Votes:

House 99-0; Senate 49-0

♣ HB 245 Bruce Simon

*Implement Affordable Housing Land Use Initiative as Related to Building Codes*

An act implementing recommendations of the affordable housing and land use initiative; establishing a Building Codes Council; establishing a continuing education program administered by the Department of Commerce and funded by a portion of inspection fees; mandating the

creation of a central registry of authoritative interpretations of building codes; and providing for statewide approval of model plans and a checklist for the examination of single-family dwelling construction plans.

Amending sections 50-60-103, 50-60-106, 50-60-201, and 50-60-301, MCA.

Committee Hearings: House Business and Labor  
Senate Business and  
Industry

Second Reading Votes: House 71-26; Senate 35-15

Third Reading Votes: House 71-24; Senate 35-13

Governor amended: House concurred, 89-9; Senate concurred, 39-11.

◆ HB 284 Bob Story

*Revise Conservation District Laws*

An act revising laws governing Conservation Districts; providing immunity to Conservation Districts and their supervisors and employees; authorizing Conservation Districts and other political subdivisions to satisfy a settlement using funds authorized by 2-9-316; authorizing Conservation Districts to execute their duties and responsibilities relating to streambed preservation under the procedures of Title 76, chapter 15; authorizing Conservation Districts to be involved in the development of various water projects; authorizing Conservation Districts to apply for, accept, and expend funds, grants, and loans; and providing an immediate effective date and a retroactive applicability date.

Amending sections 2-9-316, 76-15-320, 76-15-403, and 76-15-501, MCA.

Committee Hearings: House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes:  
Third Reading Votes:

House 87-13; Senate 49-0  
House 87-11; Senate 49-0

♣HB 300 Karl Ohs

*Revise Subdivision and Platting Act*

An act clarifying the time limits for a governing body to take action on a preliminary plat or a minor subdivision; and providing an immediate effective date and an applicability date.

Amending sections 76-3-604 and 76-3-609, MCA.

Committee Hearings:

House Natural Resources  
Senate Local Government

Second Reading Votes:  
Third Reading Votes:

House 94-4; Senate 49-0  
House 93-4; Senate 40-8

♣HB 331 Chris Ahner

*Authorize Local Health Boards to Adopt Institutional Controls at Specified Sites*

An act authorizing local boards of health to adopt and enforce institutional controls at federal superfund sites and at sites regulated under the Montana Comprehensive Environmental Cleanup and Responsibility Act; and providing an immediate effective date.

Amending sections 50-2-101 and 50-2-116, MCA.

Committee Hearings:

House Natural Resources  
Senate Natural Resources

Second Reading Votes:  
Third Reading Votes:

House 93-6; Senate 43-0  
House 93-6; Senate 49-0

◆ HB 353 Bill Tash

*Allow Local Government Sale or Gift of Historic Property*

An act authorizing a county, city, or town that owns property containing a historically significant building or monument to sell or give the property to a nonprofit organization or group that agrees to restore or preserve the property; and providing an immediate effective date.

Amending sections 7-8-2211, 7-8-2212, 7-8-2213, and 7-8-4201, MCA.

Committee Hearings: House Business and Labor  
Senate Local Government

Second Reading Votes: House 96-4; Senate 39-0

Third Reading Votes: House 93-5; Senate 49-0

◆ HB 373 Cindy Younkin

*Clarify Herd District Laws--Annexation into Existing Herd District*

An act clarifying herd district law by establishing a petition process for annexing contiguous properties into an existing herd district.

Amending section 81-4-301, MCA.

Committee Hearings: House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes: House 87-10; Senate 49-0

Third Reading Votes: House 90-9; Senate 49-0

◆ HB 586 Rick Dale

*Authorize Cities or Towns to Create a Park Maintenance District*

An act authorizing cities or towns to create a park maintenance district;

and authorizing counties to assess a fee on each household for operation of a park district.

Amending sections 7-16-2411, 7-16-2412, 7-16-2423, 7-16-2431, and 7-16-2443, MCA.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Local Government

Second Reading Vote: House 44-55

Motion passed in House to reconsider previous action (2nd reading vote).

Second Reading Votes: House 56-43; Senate 49-0  
Third Reading Votes: House 64-36; Senate 48-0

Senate amended, House concurred, 70-28.

♣ SB 95 Lorents Grosfield

*Authorize County Contributions to Municipal Infrastructure*

An act authorizing counties to voluntarily appropriate and transfer funds to municipalities to supplement the cost of infrastructure development and maintenance; and providing an immediate effective date.

Amending sections 7-11-104 and 7-11-1102, MCA.

Committee Hearings: Senate Local Government  
House Local Government

Second Reading Votes: Senate 50-0; House 85-14  
Third Reading Votes: Senate 46-0; House 89-10

♣ SB 96 Spook Stang

*Modify Provisions Governing Protest of Changes in Municipal Zoning Regulations*

An act modifying provisions governing protest of changes to zoning regulations.

Amending section 76-2-305, MCA.

Committee Hearings: Senate Local Government  
House Natural Resources

Second Reading Votes: Senate 37-12; House 84-11

Third Reading Votes: Senate 39-7; House 79-21

House amended, Senate did not concur, 49-1.

Free conference committee report adopted: Senate 49-1, House 83-17.

♣ SB 97 Spook Stang

*Generally Revise Laws Relating to Local Planning and Subdivision Review*

An act generally revising the laws relating to local planning and subdivision review; changing the terms "master plan", "comprehensive plan", and "comprehensive development plan" as used in Title 76 to "growth policy"; requiring certain elements and authorizing additional elements to be addressed in growth policies; requiring urban renewal plans to be consistent with growth policies; modifying provisions relating to summary review of subdivisions; modifying provisions relating to review of minor subdivisions by planning boards; modifying provisions relating to exemption from the Environmental Assessment requirement for subdivisions; authorizing governing bodies to establish an exemption from review of certain criteria for subdivisions when certain requirements are met; and providing an applicability date.

Amending sections 7-2-4734, 7-15-4206, 7-15-4213, 76-1-103, 76-1-106, 76-1-107, 76-1-110, 76-1-601, 76-1-602, 76-1-603, 76-1-604, 76-1-605, 76-1-606, 76-2-201, 76-2-203, 76-2-206, 76-2-304, 76-2-310, 76-2-311, 76-3-210, 76-3-504, 76-3-505, 76-3-601, 76-3-604, 76-3-605,

76-3-608, 76-3-621, 76-4-111, 76-4-122, 76-4-123, 76-4-124, 76-4-127, and 76-9-104, MCA.

Committee Hearings: Senate Local Government  
House Natural Resources

Second Reading Votes: Senate 50-0; House 67-32

Third Reading Votes: Senate 46-0; House 75-25

House amended, Senate did not concur, 49-0.

Free conference committee report adopted in Senate, 49-1, failed in House, 48-49.

Free conference committee dissolved.

Free conference committee reappointed.

Free conference committee report adopted, Senate 47-3, House 66-34.

◆SB 166 J. D. Lynch

*Revise Responsibility for Handling Abandoned Vehicles--Vehicle Disposal Fees*

An act revising county sheriff and city police responsibilities for handling abandoned vehicles; providing for payment of certain abandoned vehicle removal charges from motor vehicle disposal fees, subject to the availability of funding; transferring responsibility for determining value of a junk vehicle from the state to counties; and providing an effective date.

Amending sections 61-12-401, 61-12-402, 61-12-403, 61-12-404, 75-10-503, and 75-10-532, MCA.

Committee Hearings: Senate Local Government  
House Local Government

Second Reading Votes: Senate 45-0; House 88-11

Third Reading Votes: Senate 49-0; House 81-17

Governor amended: Senate concurred, 49-0, House concurred, 89-10.

♣ SB 189 Dale Berry

*Revise Certain Licensing Laws Applicable to Real Estate Brokers and Salespersons*

An act revising certain licensing laws applicable to real estate brokers and salespersons; allowing a broker to pay a commission to a licensed broker of another country; revising the disclosure of relationships in real estate transactions; providing for suspension of real estate licenses for noncompliance with continuing education requirements; eliminating the requirement that a broker operating a franchise disclose independent operation; deleting the requirement that out-of-state sales of in-state subdivisions be registered with the Board of Realty Regulation; and providing an immediate effective date.

Amending sections 37-51-306, 37-51-310, 37-51-313, 37-51-314, and 37-51-321, MCA; and repealing sections 76-4-1101, 76-4-1102, 76-4-1103, 76-4-1104, 76-4-1105, 76-4-1106, 76-4-1107, 76-4-1108, 76-4-1109, 76-4-1110, 76-4-1111, 76-4-1112, 76-4-1113, 76-4-1114, 76-4-1115, 76-4-1116, and 76-4-1117, MCA.

Committee Hearings: Senate Business and Industry  
House Business and Labor

Second Reading Votes: Senate 45-1; House 92-2  
Third Reading Votes: Senate 49-0; House 95-4

House amended, Senate concurred, 48-0.

♣ SB 207 Glenn Roush

*Allow Board of County Commissioners to Donate Tax Deed Land to Nonprofit Corporation*

An act allowing a Board of County Commissioners to donate land that the county has acquired by tax deed to a nonprofit corporation so that the nonprofit corporation will construct or repair improvements on the donated land and sell, lease, rent, or otherwise use the property to further the purposes for which the nonprofit corporation was formed.

Amending section 7-8-2301, MCA.

Committee Hearings: Senate Local Government  
House Local Government

Second Reading Votes: Senate 40-4; House 70-29  
Third Reading Votes: Senate 43-6; House 67-32

House amended, Senate concurred, 49-0.

♣ SB 269 Daryl Toews

*Revise and Clarify County Water and Sewer Project Laws*

An act revising and clarifying the laws relating to the finance of county water and sewer districts; authorizing the levying of special assessments to pay costs of improvements; and providing an immediate effective date.

Amending sections 7-13-2221 and 7-13-2301, MCA.

Committee Hearings: Senate Local Government  
House Local Government

Second Reading Votes: Senate 48-0; House 87-9  
Third Reading Votes: Senate 48-0; House 88-12

House amended, Senate concurred, 50-0.

♣ SB 321 Reiny Jabs

*Revise Definition of Container Site*

An act revising the definition of "container site".

Amending section 75-10-103, MCA.

Committee Hearings: Senate Local Government  
House Natural Resources

-122- Land Use

Second Reading Votes: Senate 48-0; House 93-6  
Third Reading Votes: Senate 45-0; House 91-8

◆ SB 423 Dale Mahlum

*Revise Hearing Requirement for Zoning of Annexed Land*

An act modifying procedures for conducting a hearing on annexation in conjunction with a hearing on zoning.

Amending section 76-2-303, MCA.

Committee Hearings: Senate Local Government  
House Local Government

Second Reading Votes: Senate 48-0; House 92-8  
Third Reading Votes: Senate 47-2; House 86-11

◆ SB 429 Debbie Shea

*Airport Lease Exemption from Subdivision and Platting Act*

An act exempting from local subdivision regulation certain leases or rentals of airport-related land by a city, county, state agency, or airport authority.

Amending section 76-3-205, MCA.

Committee Hearings: Senate Highways and  
Transportation  
House Natural Resources

Second Reading Votes: Senate 47-0; House 43-56  
Third Reading Vote: Senate 47-2

Segregated from the committee of the whole after failed House 2nd reading vote.

Second Reading Vote:

House 59-41

Third Reading Vote:

House 60-40

House amended, Senate concurred, 48-2.

♣ SB 454 Tom Beck

*Require State to Pay Powell County for Land on Which the State Conducts Farm/Ranch Operations*

An act requiring a state payment to Powell County for land on which the state conducts a farming or ranching operation; requiring the interim Local Government Funding and Structure Committee to conduct a review of state payments in lieu of taxes; and providing an effective date and a termination date.

Committee Hearings:

Senate Local Government  
House Taxation

Second Reading Votes:

Senate 37-10; House 89-10

Third Reading Votes:

Senate 42-7; House 88-11

House amended, Senate concurred, 45-5.

♣ SJ 21 Don Hargrove

*Interim Study of Incentives to Preserve Agricultural Land with Cluster Developments*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting an interim study of options that could be implemented by local governments to provide incentives for cluster development and preservation of agricultural land or open space; authorizing the committee to request assistance in the conduct of the study; and requiring the committee to report on its findings and recommendations.

Committee Hearings: Senate Local Government  
House Agriculture

Second Reading Votes: Senate 50-0; House 86-11  
Third Reading Votes: Senate 42-8; House 79-21

Failed

☛ HB 91 Bruce Simon

*Revise Method for Extension of Municipal Jurisdiction for Building Code*

An act requiring a county to conduct a mail ballot election at municipal government expense when a municipality requests an election to approve or disapprove the application of the municipality's building code jurisdiction to all or part of an area not to exceed 4 ½ miles beyond the municipality's corporate limits; establishing a moratorium on the application and enforcement of municipal building codes in existing areas of extended jurisdiction until an election is held; providing for coordination with Article VIII, section 17, of the Montana Constitution; and providing an immediate effective date.

Amending sections 13-19-106, 50-60-101, 50-60-301, and 50-60-302, MCA.

Committee Hearings: House Local Government  
Senate Local Government

Second Reading Votes: House 51-49; Senate 25-26  
Third Reading Votes: House 57-43; Senate 32-17

Senate amended, House concurred, 63-35.

Governor vetoed.

House veto override failed, 61-37. Did not receive the required 2/3 vote.

☛ HB 248 Dan Harrington

*Use of Municipal Water or Sewer Utility is Not a Beneficial Use*

An act clarifying that the provision of water and sewer utility services by a municipality or a district to industrial and commercial users does not constitute a beneficial use in the utility service by the industrial or commercial user; and providing a delayed effective date.

Amending section 15-24-1203, MCA.

Committee Hearings: House Taxation  
Senate Taxation

Second Reading Vote: House 89-10

Third Reading Vote: House 99-1

Senate second reading indefinitely postponed, 47-2.

☛ HB 270 Cliff Trexler

*Clarify Certain Definitions Relating to Divisions of Land*

An act defining "aliquot part"; clarifying the definition of "tract of record"; and providing an immediate effective date.

Amending section 76-3-103, MCA.

Committee Hearing: House Natural Resources

Tabled in House committee.

☛ HB 273 Bob Raney

*Revise Use of Bed Tax*

An act revising the allocation and use of the lodging facility use tax; replacing percentage allocations with specific amounts; eliminating

allocations to regional nonprofit tourism corporations; providing allocations to local governments to be used for tourism-related promotions, infrastructure, and services, providing for the creation of committees to recommend projects; providing for grants to certain local governments; and providing an effective date.

Amending sections 2-15-1816, 15-65-101, and 15-65-121, MCA; and repealing section 15-65-122, MCA.

Committee Hearing: House Taxation

Second Reading Vote: House 31-69

☛ HB 288 Doug Wagner

*Sewer/Water Connection Not to Exceed Actual Cost/No Charges While Discontinued*

An act clarifying county sewer or water district powers; providing that connection charges may not exceed the actual cost of connecting to a sewer or water system; and providing that sewer or water charges may not be assessed during a period of time that the services are discontinued.

Amending sections 7-13-2218 and 7-13-2301, MCA.

Committee Hearing: House Local Government

Tabled in House committee.

☛ HB 351 Matt Brainard

*Require Master Plan Ratification by 2/3 Vote*

An act requiring ratification of a local master plan by two-thirds of the voting electors; and providing an immediate effective date.

Amending section 76-1-604, MCA.

Committee Hearing:

House Local Government

Tabled in House committee.

☛ HB 363 Dianna Wyatt

*Clarify Authority of Cities and Towns to Establish Park Maintenance Districts*

An act authorizing park and forestry maintenance districts.

Committee Hearing:

House Local Government

Second Reading Vote:

House 47-52

Motion failed to reconsider previous action (2nd reading vote).

☛ HB 423 Cliff Trexler

*Revise Subdivisions Exempt from Review but Subject to Survey Requirements*

An act revising provisions concerning subdivisions that are exempt from review but subject to survey requirements.

Amending section 76-3-207, MCA.

Committee Hearing:

House Natural Resources

Tabled in House committee.

☛ HB 434 Ron Erickson

*Authorize Local Requirement for Subdividers to Pay for Impacts on Schools*

An act authorizing local governments to collect payments from subdividers to pay for all or part of the capital costs of school facilities that are attributable to a subdivision; requiring that the payments be deposited in a school district building fund; and providing for separate accounting and a refund of the payment under certain conditions.

Amending sections 20-9-508 and 76-3-510, MCA.

Committee Hearing:

House Taxation

Tabled in House committee.

☛ HB 441 Matt Brainard

*Homeowner Rights Regarding Annexation and Repairing and Protecting Property*

An act protecting homeowners' rights by generally revising laws that may infringe on those rights; providing that if a municipality proposes to take an action that would result in wholly surrounding land with an improvement, such as a bike or foot path or an open space corridor, a majority of the registered voters residing on the land that will be wholly surrounded shall first approve the action; providing that if a proposal is made to annex land that wholly surrounds land that will not be annexed, a majority of the owners of the land that will be wholly surrounded land shall first approve of the annexation; providing that a state or local government entity or agency may not file a civil proceeding of any type against a person or prosecute the person for actions the person takes on the person's property to protect the property from natural disasters, such as fires or floods, if the actions do not injure other persons or property; and providing that a permit is not required for and an inspection fee may not be charged for the inspection of the repairing or remodeling of a single-unit or double-unit residential building or a garage, shed, storage structure, barn, or other building not used for residential purposes that is on the same piece of property as the single-unit or double-unit residential building.

Amending sections 7-2-4201, 7-2-4312, 7-2-4313, 7-2-4314, 7-2-4402, 7-2-4601, 7-2-4606, 7-2-4710, 45-8-111, 50-60-104, 50-60-203, 50-60-301, 50-60-503, and 50-60-604, MCA.

Committee Hearing:

House Local Government

Tabled in House committee.

☞ HB 503 Paul Sliter

*Revise Laws Governing Livestock Trespass*

An act extending the provisions regarding impoundment of trespassing livestock to an unincorporated city or town with a form of government established pursuant to a neighborhood plan.

Amending sections 81-4-401, 81-4-403, 81-4-408, and 81-4-409, MCA.

Committee Hearing: House Agriculture

Second Reading Vote: House 30-66

☞ HB 505 Daniel Fuchs

*Revise Park Dedication Requirements for Subdivisions*

An act modifying the park dedication requirements under the Montana Subdivision and Platting Act; and providing an immediate effective date.

Amending section 76-3-621, MCA.

Committee Hearing: House Natural Resources

Tabled in House committee.

☞ HB 622 John Witt

*Provide an Interim Local Government Funding and Structure Study*

An act providing for an interim local government funding and structure study and an interim court funding and structure study; providing for funding; and providing an immediate effective date.

Committee Hearings: House Taxation  
Senate Finance and Claims

Second Reading Votes:

House 69-30; Senate 49-0

Third Reading Votes:

House 72-26; Senate 48-2

Returned to House with amendments.

Died in process.

☞ HB 666 Karl Ohs

*Revise Sanitation in Subdivisions Act*

An act generally revising the Sanitation in Subdivisions Act; establishing local programs regulating sanitation in subdivisions; creating a technical advisory council; requiring inspections prior to installation of sewage systems; requiring notification to subsequent purchasers of the conditions of subdivision approval; prohibiting the review and approval of water supplies and sanitary facilities in subdivisions by local units of government unless a local program has been approved by the Department of Environmental Quality; requiring the recording of a certificate of subdivision approval; clarifying the master plan and municipality exemptions; and providing applicability dates.

Amending sections 50-2-116, 75-5-305, 76-3-102, 76-3-501, 76-3-504, 76-3-511, 76-4-102, 76-4-104, 76-4-105, 76-4-106, 76-4-107, 76-4-108, 76-4-111, 76-4-121, 76-4-122, 76-4-123, 76-4-124, 76-4-125, 76-4-126, 76-4-127, 76-4-129, 76-4-130, 76-4-132, and 76-4-135, MCA; and repealing section 76-4-128, MCA.

Committee Hearing:

House Natural Resources

Tabled in House committee.

☞ SB 121 Gerry Devlin

*Revise Appraisal Method for Subdivided Agricultural Land*

An act revising the eligibility of certain parcels of land to qualify as agricultural land; providing that parcels of land that are part of a platted subdivision that is in compliance with the Montana Subdivision and

Platting Act may not be valued as agricultural land; and providing a delayed effective date and an applicability date.

Amending section 15-7-202, MCA.

Committee Hearing: Senate Agriculture,  
Livestock and Irrigation

Missed deadline for general bill transmittal.

‡SB 177 Spook Stang

*Revise Herd District Law*

An act revising herd district laws by allowing a County Commission to create a herd district of 1 square mile or more outside of incorporated cities.

Amending section 81-4-301, MCA.

Committee Hearing: Senate Agriculture,  
Livestock and Irrigation

Tabled in Senate committee.

‡SB 180 John Hertel

*County Commission Hearings on Public Land Exchanges with Federal Agencies*

An act requiring County Commissioners to hold a public hearing to review the potential effects of an acquisition or disposition of real property within the county by an agency of the federal government; and providing an immediate effective date.

Committee Hearings: Senate Local Government  
House Local Government

Second Reading Vote:

Senate 29-15

Third Reading Vote:

Senate 33-17

Tabled in House committee.

☛ SB 286 John Bohlinger

*Submit Subdivision and Townsite Platting Fee Increase to Electorate*

An act increasing the fee for filing a subdivision or townsite plat; providing a contingent voidness provision; and providing an effective date.

Amending section 7-4-2631, MCA.

Committee Hearing:

Senate Finance and Claims

Tabled in Senate committee.

☛ SB 350 Dale Mahlum

*Revise Laws Governing Annexation*

An act making the transfer of management and control of a special improvement district to a city or town mandatory when the territory of the district is annexed into a city or town.

Amending section 7-12-2126, MCA.

Committee Hearing:

Senate Local Government

Tabled in Senate committee.

☞ SB 383 Don Hargrove

*Agricultural and Open Space Land Preservation and Cluster Development Act*

An act authorizing local governments with growth policies or master plans that meet certain requirements to establish cluster development subdivision regulations for proposed cluster developments in specified geographic areas that receive transferable development rights, subject to certain requirements; exempting cluster developments from certain requirements; and authorizing local governments to grant transferable development rights in exchange for preservation of agricultural or open space land, subject to certain requirements.

Amending sections 76-3-102, 76-3-103, 76-3-501, 76-3-504, 76-3-608, and 76-3-621, MCA.

Committee Hearings: Senate State Administration  
House Natural Resources

Second Reading Vote: Senate 40-7

Third Reading Vote: Senate 43-4

Tabled in House committee.

☞ SB 407 Vicki Cocchiarella

*Allocating Lodging Facility Tax Revenue for Local Growth Policies*

An act allocating a portion of the proceeds from the lodging facility use tax to the Department of Commerce for grants to local governments to develop and implement growth policies; establishing requirements for the use of grant funds; and providing an effective date.

Amending section 15-65-121, MCA.

Committee Hearing: Senate Taxation

Tabled in Senate committee.

☛ SB 433 Dorothy Eck

*Modify Local Authority Under Sanitation and Subdivision Law*

An act modifying and clarifying local board of health authority under the laws relating to sanitation in subdivisions; establishing requirements relating to inspection prior to review of sewage systems and installation of sewage systems; authorizing additional subdivision review by local boards of health; establishing procedures for halting construction of sewage disposal or water supply systems under certain conditions; requiring local board of health review of preliminary plans for onsite sewage disposal; authorizing local boards of health to assess fees to conduct duties under the laws relating to sanitation in subdivisions; and providing an applicability date.

Amending sections 50-2-116, 76-4-104, 76-4-107, 76-4-108, 76-4-125, and 76-4-128, MCA.

Committee Hearing:

Senate Public Health,  
Welfare and Safety

Tabled in Senate committee.

☛ SJ 17 Dorothy Eck

*Interim Study of Implementation of Sanitation in Subdivisions Act*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Environmental Quality Council study implementation of the sanitation in subdivisions statutes and requiring the Council to report to the Governor and the 57th Legislature on the Council's recommendations.

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.

- Parks and Recreation -

Passed

◆HB 314 Bob Raney

*Revise and Restrict Park and Fishing Access Maintenance and Improvement*

An act implementing a "good neighbor policy" on public recreational lands to provide minimum impact on adjoining private property; requiring that maintenance in state parks and fishing access sites have priority over additional development; requiring legislative approval of development projects; defining "maintenance"; protecting riparian vegetation by discouraging motorized camping within 25 feet of a river or stream in state parks and fishing access sites; and disallowing the use of certain motorized off-highway vehicles in state parks and fishing access sites.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes: House 80-19; Senate 48-0  
Third Reading Votes: House 85-15; Senate 40-8

Senate amended, House did not concur, 94-6.

Free conference committee report adopted: House 85-12, Senate 40-9.

◆HB 316 Bob Raney

*Historic and Cultural Parks Management*

An act designating certain state parks as most at risk and as priorities for the protection, preservation, and restoration of historical, cultural, and natural assets.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes: House 78-19; Senate 48-0  
Third Reading Votes: House 75-25; Senate 42-6

◆ HB 341 Ralph Lenhart

*Restrict Certain Oil and Gas Operations in Makoshika State Park*

An act prohibiting oil or gas exploration and development in Makoshika State Park from disturbing the surface of the state park; allowing oil and gas development in certain instances; and providing an immediate effective date.

Amending section 82-11-127, MCA.

Committee Hearings: House Fish, Wildlife and Parks  
Senate Fish and Game

Second Reading Votes: House 85-11, Senate 50-0  
Third Reading Votes: House 85-12; Senate 48-2

Senate amended, House concurred, 91-9.

◆ HB 353 Bill Tash

*Allow Local Government Sale or Gift of Historic Property*

An act authorizing a county, city, or town that owns property containing a historically significant building or monument to sell or give the property to a nonprofit organization or group that agrees to restore or preserve the property; and providing an immediate effective date.

Amending sections 7-8-2211, 7-8-2212, 7-8-2213, and 7-8-4201, MCA.

Committee Hearings: House Business and Labor  
Senate Local Government

Second Reading Votes:  
Third Reading Votes:

House 96-4; Senate 39-0  
House 93-5; Senate 49-0

◆ HB 467 Chase Hibbard

*Allow Off-Highway Vehicles on Certain Forest Development Roads; License Exemption*

An act relating to off-highway vehicle use; allowing off-highway vehicles to use certain forest development roads; and exempting certain young drivers from licensing requirements for use of off-highway vehicles on certain forest development roads.

Amending sections 23-2-821 and 61-5-104, MCA.

Committee Hearings:

House Transportation  
Senate Highways and  
Transportation

Second Reading Votes:  
Third Reading Votes:

House 96-4; Senate 50-0  
House 96-4; Senate 50-0

◆ HB 586 Rick Dale

*Authorize Cities or Towns to Create a Park Maintenance District*

An act authorizing cities or towns to create a park maintenance district; and authorizing counties to assess a fee on each household for operation of a park district.

Amending sections 7-16-2411, 7-16-2412, 7-16-2423, 7-16-2431, and 7-16-2443, MCA.

Committee Hearings:

House Fish, Wildlife and  
Parks  
Senate Local Government

Second Reading Vote:

House 44-55

Motion passed in House to reconsider previous action (2nd reading vote).

Second Reading Votes: House 56-43; Senate 49-0

Third Reading Votes: House 64-36; Senate 48-0

Senate amended, House concurred, 70-28.

◆ HB 626 Hal Harper

*Designate Certain Montana Waters as No Wake Zones*

An act reducing potential conflicts between recreational users of Montana waters by revising certain laws on motorboat and personal watercraft operation; revising the restriction on operation of a vessel in proximity to an angler, waterfowl hunter, or diver; designating certain river stretches as no-wake zones; prohibiting the use of personal watercraft on designated river stretches and on waters restricted by rule of the Fish, Wildlife, and Parks Commission; allowing the Fish, Wildlife, and Parks Commission to adopt rules for the operation of personal watercraft and the resolution of conflicts between users of motorized and nonmotorized boats on Montana waters and providing an effective date.

Amending sections 23-2-525, 23-2-531, and 87-1-303, MCA.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes: House 57-42; Senate 36-13

Third Reading Votes: House 63-36; Senate 34-16

Senate amended, House did not concur, 86-13.

Conference committee report adopted: House 66-34, Senate 33-17.

♣HB 629 Doug Mood

*Blackfoot River Recreation Management*

An act directing the Department of Fish, Wildlife, and Parks to conduct a comprehensive study of Blackfoot River use and conflict and report the department's findings and conclusions to the 57th Legislature.

Committee Hearings: House Fish, Wildlife and Parks  
Senate Fish and Game

Second Reading Votes: House 91-8; Senate 48-0  
Third Reading Votes: House 91-7; Senate 48-0

♣SB 44 Alvin Ellis

*Longer Fish, Wildlife, and Parks Lease for Water Project Lands; Delete Obsolete Cabin Provision*

An act extending the allowed lease term for state water project lands leased to the Department of Fish, Wildlife, and Parks for public recreational use; deleting an expired provision of the cabin site leasing law; and providing an immediate effective date.

Amending section 85-1-802, MCA.

Committee Hearings: Senate Fish and Game  
House Natural Resources

Second Reading Votes: Senate 43-6; House 85-14  
Third Reading Votes: Senate 44-6; House 86-13

♣SB 87 Don Hargrove

*Revise Snowmobile Safety Act*

An act revising statutes regarding snowmobile safety and liability by

clarifying the duties of snowmobilers and snowmobile area operators; clarifying the inherent risks of snowmobiling; eliminating the provision regarding the effect of Montana Comparative Negligence Law on recovery from snowmobile area operators for death or injury resulting from an inherent snowmobiling risk; and providing an immediate effective date.

Amending sections 23-2-651, 23-2-652, 23-2-653, and 23-2-654, MCA; and repealing section 23-2-656, MCA.

Committee Hearings: Senate Judiciary  
House Judiciary

Second Reading Votes: Senate 48-0; House 82-15  
Third Reading Votes: Senate 50-0; House 86-13

◆ SB 355 Arnie Mohl

*Eliminate Requirement to Fund Footpaths and Bike Trails*

An act eliminating the use of the state Special Revenue Fund for funding footpaths and bicycle trails; and providing an effective date.

Amending section 60-3-303, MCA.

Committee Hearings: Senate Finance and Claims  
House Transportation

Second Reading Votes: Senate 37-11; House 65-35  
Third Reading Votes: Senate 40-9; House 65-35

◆ SB 421 Dale Mahlum

*Create Scenic-Historic Byways Program*

An act creating the Scenic-Historic Byways Program; outlining the duties of the advisory council; requiring the Department of Transportation to adopt rules regarding application forms, procedures, and criteria that will be used to determine eligibility for participation in the Scenic-Historic

Byways Program; and providing effective dates.

Amending section 60-1-103, MCA.

Committee Hearings:	Senate Highways and Transportation House Transportation
---------------------	---

Second Reading Vote:	Senate 28-21
Third Reading Vote:	Senate 29-21

Taken from House committee and placed on 2nd reading.

Second Reading Vote:	House 63-36
Third Reading Vote:	House 67-33

House amended, Senate concurred, 36-14.

Failed

☞ HB 224 Sam Kitzenberg

*Create State Park at Rock Creek Campground*

An act creating a state park at Rock Creek Campground on Fort Peck Lake in Region 6; and providing directives for development of park facilities.

Committee Hearing:	House Fish, Wildlife and Parks
--------------------	-----------------------------------

Tabled in House committee.

☛ HB 225 Sam Kitzenberg

*Department of Fish, Wildlife, and Parks Directive and Appropriation for Living Stream Exhibit at Fort Peck*

An act directing the Department of Fish, Wildlife, and Parks to lease land for and develop a living streams interpretive site and exhibit associated with the Fort Peck Interpretive Center; appropriating \$3 million from the state parks trust fund; and providing an effective date and a termination date.

Amending section 15-35-108, MCA.

Committee Hearing: House Fish, Wildlife, and Parks

Tabled in House committee.

☛ HB 273 Bob Raney

*Revise Use of Bed Tax*

An act revising the allocation and use of the lodging facility use tax; replacing percentage allocations with specific amounts; eliminating allocations to regional nonprofit tourism corporations; providing allocations to local governments to be used for tourism-related promotions, infrastructure, and services, providing for the creation of committees to recommend projects; providing for grants to certain local governments; and providing an effective date.

Amending sections 2-15-1816, 15-65-101, and 15-65-121, MCA; and repealing section 15-65-122, MCA.

Committee Hearing: House Taxation

Second Reading Vote: House 31-69

☛ HB 286 Shuell Anderson

*Revise Allocation and Use of Lodging Facility Use Tax*

An act generally revising the laws governing the allocation and use of the Lodging Facility Use Tax; clarifying the facilities that are subject to the tax; authorizing the Tourism Advisory Council to provide matching funds for local travel-related research projects; allocating a percentage of funds rather than a specific amount to the Montana Heritage Commission; revising the use of funds allocated to the Montana Historical Society and the Department of Fish, Wildlife, and Parks; reducing the allocation to the Department of Commerce and to the university system; providing a contingent voidness provision; and providing effective dates.

Amending sections 2-15-1816, 15-65-101, and 15-65-121, MCA.

Committee Hearing:

House Taxation

Tabled in House committee.

☛ HB 315 Bob Raney

*Primitive Fishing Access Sites*

An act requiring that the Fish, Wildlife, and Parks Commission rules provide for the establishment of primitive fishing access sites; requiring that the rules address the scope and nature of the development allowed at primitive fishing access sites; eliminating user fees at primitive fishing access sites for a person who possesses a valid state parks passport; and providing an effective date.

Amending section 23-1-105, MCA.

Committee Hearings:

House Fish, Wildlife and  
Parks

Senate Fish and Game

Second Reading Votes:

House 64-33; Senate 33-16

Third Reading Votes:

House 71-27; Senate 39-11

Senate amended, House did not concur, 82-16.  
Motion to adopt free conference committee report failed 3 times.  
Motion to reject free conference committee report failed once.  
Second reading vote indefinitely postponed, 27-23.  
Died in process.

♥HB 317 Bob Raney

*Recreational Parks Expansion*

An act establishing the recreational parks system; requiring the identification and acquisition of properties, preferably in eastern Montana, that are suitable for recreational parks; establishing conditions applicable to recreational parks, including limitations on development; making the use of the parks free to Montana residents; and requiring the operation and maintenance of recreational parks by the Department of Fish, Wildlife, and Parks.

Committee Hearing: House Fish, Wildlife and Parks

Tabled in House committee.

♥HB 330 John Cobb

*Fund Free Access to Giant Springs State Park*

An act appropriating \$24,251 from the general fund to allow free public access to Giant Springs State Park; and providing an effective date.

Committee Hearing: House Appropriations

Tabled in House committee.

☛ HB 363 Dianna Wyatt

*Clarify Authority of Cities and Towns to Establish Park Maintenance Districts*

An act authorizing park and forestry maintenance districts.

Committee Hearing: House Local Government

Second Reading Vote: House 47-52  
Motion failed to reconsider previous action (2nd reading vote).

☛ HB 439 Matt Brainard

*Extend Lewis and Clark Highway*

An act allowing a Board of County Commissioners to designate roads under its jurisdiction as adjuncts to the Lewis and Clark Highway; and providing funding for signs and road modifications from the proceeds of the lodging facility use tax allocated to the regional nonprofit tourism corporation that includes Missoula County.

Amending section 60-1-202, MCA.

Committee Hearing: House Transportation

Tabled in House committee.

☛ HB 488 Doug Wagner

*Clarify Recreational Use of State Land for No Charge to Residents*

An act submitting to the qualified electors of Montana an amendment to Article X, section 11, of the Montana Constitution to allow the state to require a license or charge a fee for general recreational use of state trust lands; and providing an effective date.

Committee Hearings: House Fish, Wildlife and  
Parks

Senate Fish and Game

Second Reading Votes: House 57-40; Senate 11-39  
Third Reading Votes: House 69-31; Senate 11-39

Senate amended, House did not concur, 92-7.  
Conference committee report rejected by Senate, 16-34.

☛ HB 499 Hal Harper

*Revise Off-Highway Vehicle Laws*

An act revising the laws related to off-highway vehicles; requiring that weed control be addressed as an element of the state off-highway vehicle trail grant program and the national recreation trail grant program; requiring development by the Department of Fish, Wildlife, and Parks of a weed control plan for off-highway vehicle trails and national recreation trails and coordination of the plan with the Department of Agriculture and county weed boards; providing that grants for off-highway vehicle trails and national recreation trails may not be implemented until the requisite weed control plan is in place; clarifying the required components of a weed control plan; requiring recordkeeping; requiring a report to the 57th Legislature; and clarifying the responsibility for property that is damaged by off-highway vehicles.

Committee Hearings: House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Vote: House 72-25  
Third Reading Vote: House 76-24

Tabled in Senate committee.

☛ HB 505 Daniel Fuchs

*Revise Park Dedication Requirements for Subdivisions*

An act modifying the park dedication requirements under the Montana Subdivision and Platting Act; and providing an immediate effective date.

Amending section 76-3-621, MCA.

Committee Hearing: House Natural Resources

Tabled in House committee.

☛ HB 564 Roger Somerville

*Eliminate Recreational Use License Fee*

An act eliminating the recreational use license and fee assessed against users of state lands; and providing a delayed effective date.

Amending sections 70-16-302, 77-1-106, 77-1-808, 87-1-504, and 87-1-601, MCA; and repealing sections 77-1-801 and 77-1-802, MCA.

Committee Hearing: House Fish, Wildlife and Parks

Second Reading Vote: House 40-57

☛ HB 633 Rod Bitney

*Forest Land Management*

An act prohibiting the state Department of Fish, Wildlife, and Parks from issuing an approval or permit to the U.S. Forest Service for a project that includes the obliteration of an existing forest system road until procedures for the issuance have been reviewed; and providing an immediate effective date.

Amending section 87-5-504, MCA.

Committee Hearings: House Transportation  
Senate Fish and Game

Second Reading Vote: House 65-35

Third Reading Vote: House 64-34

Tabled in Senate committee.

☞ SB 329 Jon Ellingson

*Require Motorized Water Craft Operator Safety Certificate; Expand No Wake Zone*

An act revising statutes related to boating safety by requiring that the operator of a rented personal watercraft and any operator of a personal watercraft who is under 18 years of age possess a valid Montana motorboat operator's safety certificate or evidence of completion of a state-approved water safety course; requiring that a personal watercraft used to tow a waterskier must have a carrying capacity of at least three persons and that at least one person shall accompany the operator as an observer; prohibiting the operation of a pleasure vessel within 200 feet of the exterior boundary of a water area that is clearly marked as a bathing or swimming area unless docking and operating at a no-wake speed; prohibiting the operation, without permission, of a vessel within 200 feet of a person engaged in fishing, unless unavoidable; increasing the no-wake safety zone applicable to motorboat operation from within 100 feet to within 200 feet of a tow-float or buoy displaying a "diver-down" symbol; increasing the no-wake zone applicable to personal watercraft operation from within 100 feet to within 200 feet of a dock, swimmer, swimming raft, nonmotorized boat, or anchored vessel on a lake; requiring that the boating education program include instruction on the safe operation of personal watercraft; and providing a delayed effective date.

Amending sections 23-2-523, 23-2-525, 23-2-530, and 23-2-531, MCA.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Vote:

Senate 39-10

Third Reading Vote:

Senate 40-9

Tabled in House committee.

☞ SB 418 Chuck Swysgood

*Clarify Road Right-of-Way*

An act clarifying the scope of bridge easements on county and state rights-of-way; prohibiting the use of a right-of-way for recreational access to the underlying streambed or watercourse unless that access is specifically stated in the easement; and providing applicability dates. Amending sections 7-14-2107, 7-14-2112, 60-1-103, and 60-4-101, MCA.

Committee Hearing:

Senate Fish and Game

Tabled in Senate committee.

☞ SB 445 Chuck Swysgood

*Beaverhead/Big Hole Outfitter Tag and River Use*

An act requiring guides, professional guides, and outfitters who wish to operate on Montana rivers to obtain and display an outfitter boat tag; providing restrictions on outfitting and guiding activity on the Beaverhead and Big Hole Rivers; urging the Department of Fish, Wildlife, and Parks to facilitate a consensus process for addressing river conflicts and to develop river recreation management plan proposals and suggesting requirements to be included in the plans; establishing an account; requiring the Fish, Wildlife, and Parks Commission to develop rules regarding implementation of recreation resource management plans for the Beaverhead and Big Hole Rivers; and providing an immediate effective date.

Committee Hearings: Senate Fish and Game  
House Fish, Wildlife and  
Parks

Second Reading Vote: Senate 43-6  
Third Reading Vote: Senate 43-6

Taken from committee and placed on House 2nd reading.

Second Reading Vote: House 53-45  
Third Reading Vote: House 56-42

House amended, Senate concurred, 42-3.  
Governor vetoed.  
Veto override failed.

### - State and Public Lands -

Passed

⚡ HB 35 Chris Ahner

*Make Resource Development Account Deduction Permanent*

An act removing the termination date for the provision that allows a 3 percent state lands resource development account deduction; and providing an immediate effective date.

Repealing section 4, chapter 247, Laws of 1997.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 64-34; Senate 49-0  
Third Reading Votes: House 64-32; Senate 49-0

‡HB 80 John Cobb

*Revise Trust Land Management*

An act generally revising laws governing state lands to remove provisions declared invalid.

Amending sections 20-6-621, 20-15-403, 77-2-106, 77-2-211, 77-2-303, 77-2-311, and 77-3-132, MCA; and repealing sections 7-35-4104, 77-3-321, and 77-5-213, MCA.

Committee Hearings:	House Agriculture Senate Agriculture, Livestock and Irrigation
---------------------	--

Second Reading Votes:	House 94-4; Senate 49-0
Third Reading Votes:	House 94-5; House 49-0

‡HB 96 Larry Grinde

*Reciprocal Access to Isolated Trust Lands*

An act allowing for reciprocal access agreements to be negotiated on all isolated state land classifications; and providing an immediate effective date.

Repealing section 77-5-115, MCA.

Committee Hearings:	House Natural Resources Senate Natural Resources
---------------------	---

Second Reading Votes:	House 59-40; Senate 44-0
Third Reading Votes:	House 65-33; Senate 42-0

☛ HB 221 Cliff Trexler

*Revise Responsibility for Weed Control Bordering Road*

An act clarifying responsibility for weed control along a state or county highway or road by providing that a landowner who owns property bordering a state or county highway or road and does not wish to enter a voluntary agreement for weed control, but who objects to weed control measures, is responsible for alternative weed control on that property; providing penalties for a landowner who objects to weed district control measures but does not provide alternative weed control; requiring the district weed board to provide weed control if the landowner does not provide alternative weed control within 30 days after notification; and providing effective dates.

Amending section 7-22-2153, MCA

Committee Hearings:

House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes:

House 96-3; Senate 50-0

Third Reading Votes:

House 93-5; Senate 48-0

Senate amended, House concurred, 94-4.

☛ HB 352 Matt Brainard

*Ensure Continued Access Across Public Land to Public and Private Land*

An act ensuring continued access across public land to private and public land; and providing effective dates.

Amending sections 7-14-2615 and 60-2-107, MCA.

Committee Hearings:

House Transportation  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes: House 82-17; Senate 43-7  
Third Reading Votes: House 83-16; Senate 41-8

◆ HB 485 Shiell Anderson

*Establish Process to Offer Timber Conservation License in Lieu of Timber Sale*

An act providing for a timber conservation license in lieu of the sale of timber on state trust lands and establishing a bid process for conservation licenses; and providing an immediate effective date.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 74-24; Senate 42-0  
Third Reading Votes: House 71-27; Senate 49-0

◆ HJ 19 Aubyn Curtiss

*Urge Full Funding of Payments in Lieu of Taxes on Federal Lands in Montana*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the full funding of payments in lieu of taxes on federal land in Montana, the proper harvest of the allowable sale quota for timber, and a renewal of the federal government's compact with state and local governments to contribute a fair share of taxes on federal land in Montana.

Committee Hearings: House State/Federal  
Relations  
Senate Taxation

Second Reading Votes: House 66-33; Senate 44-0  
Third Reading Votes: House 67-31; Senate 42-0

♣ HJ 26 Rod Bitney

*Urge Monitoring of Road Closures*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the current federal government policies on national forest road closures and obliteration be suspended and that Congress reaffirm its directives that forest lands be managed in accordance with forest plans that provide for multiple-use management.

Committee Hearings: House State/Federal Relations  
Senate Agriculture, Livestock and Irrigation

Second Reading Votes: House 74-25; Senate 48-0

Third Reading Votes: House 74-25; Senate 43-1

Senate amended, House concurred, 75-24.

♣ SB 7 Reiny Jobs

*Revise Laws on Leasing of Grazing and Agricultural Land*

An act revising the method of leasing state grazing and agricultural lands; requiring a rental guarantee for bids over a one-third crop share; allowing for reinstatement of leases canceled for nonpayment; and providing an effective date and an applicability date.

Amending sections 77-6-501 and 77-6-506, MCA.

Committee Hearings: Senate Agriculture, Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 47-0; House 99-1

Third Reading Votes: Senate 49-0; House 99-0

‡SB 48 Chuck Swysgood

*Fund Trust Land Management Functions*

An act authorizing the funding of the trust land management functions of the Department of Natural Resources and Conservation from all sources of revenue generated by the administration of trust lands and from a portion of the interest income of the Permanent Land Grant Funds; creating an account to record and administer receipts and disbursements; and providing an effective date.

Amending sections 17-3-1003, 18-2-107, 20-9-341, 20-9-601, and 20-25-422, MCA.

Committee Hearings:	Senate Natural Resources House Appropriations
Second Reading Votes:	Senate 37-7; House 87-9
Third Reading Votes:	Senate 47-3; House 77-19

‡SB 91 Chuck Swysgood

*Extend Fishing Access Site Operation and Maintenance Program*

An act extending for 4 years the termination date on the requirement that at least 50 percent of fishing license fees reserved for fishing access sites be allocated for the operation and maintenance of fishing access sites and stream, river, and lake frontages and be prioritized and expended for weed control, streambank restoration, and general operation and maintenance; requiring a report on program success to the 58th Legislature; and providing an immediate effective date.

Amending sections 2 and 4, chapter 428, Laws of 1995.

Committee Hearings:	Senate Fish and Game House Agriculture
Second Reading Votes:	Senate 48-0; House 96-2
Third Reading Votes:	Senate 50-0; House 97-2

♣ SB 178 Linda Nelson

*Moratorium on Harvesting Medicinal Plants on State Land*

An act implementing a moratorium on the harvest or removal of wild medicinal plants from state lands; establishing a task force on wild medicinal plants to acquire the necessary technical information to determine sustainable collecting of wild medicinal plants on state lands and to recommend legislation if appropriate; requiring the Governor to notify federal agencies and tribal governments regarding the moratorium and allowing the Governor, when appropriate, to enter into a Memorandum of Understanding with a federal agency or tribal government to help ensure the sustainability of wild medicinal plants throughout Montana; providing definitions and a penalty; and providing an immediate effective date and a termination date.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 34-12; House 49-49  
Segregated from the committee of the whole.

House 2nd reading vote, 73-27.

Third Reading Votes: Senate 36-13; House 66-34

House amended, Senate concurred, 45-5.

♣ SB 276 Dale Berry

*Revise State Land Easement Description Requirements*

An act allowing an application for an easement across state land to be accompanied by a survey prepared using data collected through the use of alternative survey methods.

Amending section 77-2-102, MCA.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes:

Senate 49-0; House 97-0

Third Reading Votes:

Senate 48-0; House 100-0

◆SB 342 Don Hargrove

*Create the Agricultural Heritage Preservation Program*

An act creating the Montana Agricultural Heritage Program; creating a 12-member Montana Agricultural Heritage Commission; authorizing the state and approved nonprofit organizations to acquire and hold agricultural easements; providing agricultural easement acquisition criteria; requiring nine members of the commission to approve agricultural easement acquisitions; providing for perpetual and renewable term agricultural easements and agricultural easement enforcement; providing that state funds may be used to purchase, monitor, and enforce agricultural easement agreements; providing for donations, gifts, and other funds; creating an account in the state special revenue fund; and providing an effective date and a termination date.

Committee Hearings:

Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes:

Senate 39-8; House 51-49

Third Reading Vote:

Senate 39-9

Rereferred to House Appropriations.

Second Reading Vote:

House 72-28

Third Reading Vote:

House 75-24

House amended, Senate concurred, 45-5.

◆SB 411 William Crismore

*Annual Report on Trust Land Return*

An act requiring the Board of Land Commissioners to provide annual reports regarding the average return of revenue on asset value to trust

beneficiaries of forested lands; describing the method for calculating average return and asset value; and providing an effective date.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 31-17; House 73-26

Third Reading Votes: Senate 35-14; House 73-24

House amended, Senate concurred, 49-1.

### ◆ SB 412 Spook Stang

#### *Revise the Requirements for the Control and Management of Timber Slash*

An act generally revising the requirements for control and management of timber slash; clarifying that fire hazard reduction agreements apply only to private forest lands; requiring the Department of Natural Resources and Conservation to adopt fire hazard reduction rules; revising the bond provision and release procedures; and providing an effective date and an applicability provision.

Amending sections 76-13-401, 76-13-403, 76-13-408, 76-13-409, 76-13-410, 76-13-411, 76-13-412, 76-13-414, and 76-13-415, MCA.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 48-0; House 92-2

Third Reading Votes: Senate 49-0; House 97-2

### ◆ SB 429 Debbie Shea

#### *Airport Lease Exemption from Subdivision and Platting Act*

An act exempting from local subdivision regulation certain leases or rentals of airport-related land by a city, county, state agency, or airport authority.

Amending section 76-3-205, MCA.

Committee Hearings:	Senate Highways and Transportation House Natural Resources
Second Reading Votes:	Senate 47-0; House 43-56
Third Reading Vote:	Senate 47-2

Segregated from the committee of the whole after failed House 2nd reading vote.

Second Reading Vote:	House 59-41
Third Reading Vote:	House 60-40

House amended, Senate concurred, 48-2.

♠ SB 454 Tom Beck

*Require State to Pay Powell County for Land on Which the State Conducts Farm/Ranch Operations*

An act requiring a state payment to Powell County for land on which the state conducts a farming or ranching operation; requiring the interim Local Government Funding and Structure Committee to conduct a review of state payments in lieu of taxes; and providing an effective date and a termination date.

Committee Hearings:	Senate Local Government House Taxation
Second Reading Votes:	Senate 37-10; House 89-10
Third Reading Votes:	Senate 42-7; House 88-11

House amended, Senate concurred, 45-5.

Failed

☛ HB 102 Stan Fisher

*Provide for Public Sale of Surplus State Land*

An act providing for the public sale of certain surplus state land and improvements; providing for the disposition of sale proceeds; superseding the unfunded mandate laws; and providing an immediate effective date.

Committee Hearing: House Natural Resources

Tabled in House committee.

☛ HB 344 Bob Raney

*Fishery Value Consideration When Purchasing Wildlife Easements*

An act requiring that the value of fisheries be analyzed when acquisition of a habitat easement is considered and that when a fishery value exists, the fishery be considered for part of the habitat acquisition; and providing an immediate effective date.

Amending sections 23-1-102, 87-1-209, and 87-1-241, MCA.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Vote: House 78-17

Third Reading Vote: House 81-19

Tabled in Senate committee.

☛ HB 345 Bob Raney

*Certified Weed Free Sand and Gravel on Road Projects*

An act generally revising the laws relating to noxious weeds in road construction materials; requiring the Department of Transportation to use only materials that are free of noxious weeds in the construction and maintenance of highways; requiring the operator of certain opencut-mining operations to have a noxious weed management plan in place before mining can begin; and providing a delayed effective date.

Amending sections 82-4-431 and 82-4-432, MCA.

Committee Hearings:	House Agriculture Senate Agriculture, Livestock and Irrigation
---------------------	--

Second Reading Vote:	House 92-6
----------------------	------------

Third Reading Vote:	House 92-8
---------------------	------------

Tabled in Senate committee.

☛ HB 398 Brad Molnar

*Generally Revise Fish and Game Laws--Public Access Program*

An act generally revising fish and game laws; allowing the Department of Fish, Wildlife, and Parks to develop, operate, and maintain permanent access to public lands; establishing the public access program; creating an account funded by \$1 from each sale of a resident big game hunting license to be used as matching funds by eligible nonprofit organizations to gain permanent access to public lands and to provide, defend, investigate, protect, and acquire, by agreement between a willing seller and willing buyer, public access to public lands; and providing an effective date and a termination date.

Amending section 87-1-209, MCA.

Committee Hearing: House Fish, Wildlife and Parks

Second Reading Vote: House 43-57

☛ HB 488 Doug Wagner

*Clarify Recreational Use of State Land for No Charge to Residents*

An act submitting to the qualified electors of Montana an amendment to Article X, section 11, of the Montana Constitution to allow the state to require a license or charge a fee for general recreational use of state trust lands; and providing an effective date.

Committee Hearings: House Fish, Wildlife and Parks  
Senate Fish and Game

Second Reading Votes: House 57-40; Senate 11-39

Third Reading Votes: House 69-31; Senate 11-39

Senate amended, House did not concur, 92-7.

Conference committee report rejected by Senate, 16-34.

☛ HB 564 Roger Somerville

*Eliminate Recreational Use License Fee*

An act eliminating the recreational use license and fee assessed against users of state lands; and providing a delayed effective date.

Amending sections 70-16-302, 77-1-106, 77-1-808, 87-1-504, and 87-1-601, MCA; and repealing sections 77-1-801 and 77-1-802, MCA.

Committee Hearing: House Fish, Wildlife and Parks

Second Reading Vote: House 40-57

☛ HB 635 Matt Brainard

*Rights of Way Across Federal Land*

An act providing for the acceptance of rights-of-way granted by the federal government; providing for acceptance by statutory acknowledgment or by use; providing for proof of use of rights-of-way; creating causes of action for the proof and protection of accepted rights-of-way; and creating an earmarked fund for the purposes of funding causes of action.

Committee Hearing: House Transportation

Second Reading Vote: House 33-67

☛ SB 464 Spook Stang

*Require Pipelines to be Located in Highway Right of Way*

An act requiring the Department of Transportation to allow location of pipelines in highway rights-of-way under certain conditions.

Amending section 60-5-110, MCA.

Committee Hearing: Senate Highways and Transportation

Tabled in Senate committee.

## - Takings/Private Property Rights -

See also Eminent Domain

Passed

✪ HJ 7 Aubyn Curtiss

### *Support American Lands Sovereignty Act*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana supporting the American Land Sovereignty Protection Act; and requiring the Secretary of State to transmit copies of the resolution.

Committee Hearings:

House State/Federal  
Relations  
Senate State Administration

Second Reading Votes:

House 55-45; Senate 32-18

Third Reading Votes:

House 54-46; Senate 31-18

✪ HJ 8 Aubyn Curtiss

### *Resolution to Oppose Designation of Any Montana River as an American Heritage River*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana opposing designation of any river in Montana as an American Heritage River under the Federal American Heritage Rivers Initiative.

Committee Hearings:

House State/Federal  
Relations  
Senate Natural Resources

Second Reading Votes: House 60-40; Senate 29-20  
Third Reading Votes: House 59-41; Senate 30-19

Senate amended, House concurred, 62-36.

◆ HJ 10 Aubyn Curtiss

*Resolution Opposed to Biosphere Reserves Treaty*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana opposing the biosphere reserves designation of the Man and the Biosphere Program and urging that the proposed biodiversity treaty not be ratified by the United States.

Committee Hearings: House State/Federal  
Relations  
Senate State Administration

Second Reading Vote: House 52-46  
Third Reading Vote: House 56-44

Failed

◆ HB 441 Matt Brainard

*Homeowner Rights Regarding Annexation and Repairing and Protecting Property*

An act protecting homeowners' rights by generally revising laws that may infringe on those rights; providing that if a municipality proposes to take an action that would result in wholly surrounding land with an improvement, such as a bike or foot path or an open space corridor, a majority of the registered voters residing on the land that will be wholly surrounded shall first approve the action; providing that if a proposal is made to annex land that wholly surrounds land that will not be annexed, a majority of the owners of the land that will be wholly surrounded land shall first approve of the annexation; providing that a state or local government entity or agency may not file a civil proceeding of any type against a person or prosecute the person for actions the person takes on

the person's property to protect the property from natural disasters, such as fires or floods, if the actions do not injure other persons or property; and providing that a permit is not required for and an inspection fee may not be charged for the inspection of the repairing or remodeling of a single-unit or double-unit residential building or a garage, shed, storage structure, barn, or other building not used for residential purposes that is on the same piece of property as the single-unit or double-unit residential building.

Amending sections 7-2-4201, 7-2-4312, 7-2-4313, 7-2-4314, 7-2-4402, 7-2-4601, 7-2-4606, 7-2-4710, 45-8-111, 50-60-104, 50-60-203, 50-60-301, 50-60-503, and 50-60-604, MCA.

Committee Hearing: House Local Government

Tabled in House committee.

☞ HB 559 Aubyn Curtiss

*Private Property Protection*

An act providing compensation for the owner of a parcel of real property, the fair market value of which is substantially and disproportionately reduced by the action of a state government agency; and providing for an exemption from application of the state agency action.

Amending section 2-10-103, MCA.

Committee Hearings: House State Administration  
Senate Judiciary

Second Reading Vote: House 58-41

Third Reading Vote: House 59-41

Tabled in Senate committee.

- Land Use/Other -

Passed

♣HB 513 John Witt

*Large Agricultural Land Not Included in Exempt Charitable Property*

An act providing that agricultural property that is used to produce unrelated business taxable income does not qualify as property used purely for public charitable purposes of qualifying for a property tax exemption; revising the definition of "institutions of purely public charity"; and providing an applicability date.

Amending section 15-6-201, MCA.

Committee Hearings:

House Taxation  
Senate Taxation

Second Reading Votes:

House 83-17; Senate 50-0

Third Reading Votes:

House 86-11; Senate 50-0

♣SB 462 Lorents Grosfield

*Generally Authorize Environmental Control Easements*

An act generally authorizing environmental control easements; allowing the acquisition of environmental control sites; limiting the conversion or diversion of environmental control sites from the purposes specified in the environmental control easement; restricting the conveyance or lease of environmental control sites; authorizing public body powers in connection with environmental control easements; providing for the creation and approval of environmental control easements; specifying the duration of environmental control easements; providing for permissible easements; designating grantees of environmental control easements; providing for reporting requirements by qualified private organizations; authorizing the assignability of easements; providing for coordination with local planning authorities; requiring the recording and description of

environmental control easements; exempting certain interest held by a grantee from property taxes; providing for easement enforcement and liability; and providing an effective date.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 40-9; House 59-40

Third Reading Votes: Senate 40-9; House 66-34

House amended, Senate concurred, 46-4.

Failed

☛ HB 340 Shiell Anderson

*Require Preservation of Monuments for Land Survey Purposes*

An act requiring the preservation of monuments for the purposes of land surveys.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Vote: House 71-28

Third Reading Vote: House 79-21

Tabled in Senate committee.

☛ HB 385 Emily Swanson

*Revise Greenbelt Property Taxes*

An act revising the valuation and taxation of certain land; revising the income criteria by which land may be determined to be agricultural for property tax purposes; and providing an applicability date.

Amending sections 15-6-133, 15-6-134, and 15-7-202, MCA.

Committee Hearing:

House Taxation

Tabled in House committee.

☛ HB 403 Bob Raney

*Recreational Homes Occupied Intermittently by Nonresidents is Class 7 Property*

An act classifying intermittently occupied recreational residential improvements as class seven property; defining class seven property as recreational dwellings that are used less than 90 days a year primarily by nonresident occupants; providing that intermittently occupied recreational residential improvements are not dwellings affecting an occupant's livelihood, dwellings used by seasonal employees, or commercial lodging facilities; submitting the property tax increase to the electorate; providing a contingent voidness provision; and providing an effective date and an applicability date.

Amending section 15-6-137, MCA.

Committee Hearing:

House Taxation

Tabled in House committee.

☛ HB 671 Rod Bitney

*Subdivision Lot to Retain Tax Base Until Sold*

An act providing that certain vacant parcels of land that are part of a newly platted subdivision are valued as unimproved class four property for tax purposes; and providing an immediate effective date and a retroactive applicability date.

Committee Hearing:

House Taxation

Tabled in House committee.

# Mineral Development

- Exploration, Operation and Reclamation -

Passed

♣ HB 7 Matt McCann

## *Reclamation and Development Grants*

An act appropriating money to the Department of Natural Resources and Conservation for grants for designated projects under the Reclamation and Development Grants Program; prioritizing grants and amounts; establishing conditions for grants; and providing an effective date.

Committee Hearings: House Appropriations  
Senate Finance and Claims

Second Reading Votes: House 94-4; Senate 49-0

Third Reading Votes: House 96-4; Senate 50-0

♣ HB 120 Roy Brown

## *Revise Reclamation and Development Grant Fund Use*

An act revising the restriction on using priority Reclamation and Development Grant funds for personnel costs or operating expenses incurred while performing oil and gas reclamation projects; and providing an effective date.

Amending Section 90-2-1113, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 53-45; Senate 50-0

Third Reading Votes: House 49-47; House 48-0

♣HB 183 Rick Dale

*Generally Revise the Opencut Mining Act and the Metal Mine Reclamation Laws*

An act generally revising the Opencut Mining Act and the metal mine reclamation laws; transferring the regulation of soil and peat mining to the Opencut Mining Act; regulating phosphate mining under the metal mine reclamation laws; removing the authority of a metal mine permit applicant to eliminate impact statement contractors from consideration; limiting the use of mercury and ore-processing reagents and solvents by metal miners; modifying the definition of "placer deposit"; modifying metal mine and opencut mine bonding provisions; limiting the purposes of the opencut mine regulations; modifying opencut permitting thresholds; requiring a complete opencut reclamation plan at the time of application; providing 10-year primary terms for opencut mining permits; and providing applicability dates.

Amending sections 82-4-303, 82-4-305, 82-4-310, 82-4-335, 82-4-337, 82-4-338, 82-4-341, 82-4-402, 82-4-403, 82-4-405, 82-4-422, 82-4-423, 82-4-431, 82-4-432, 82-4-433, 82-4-434, and 82-4-441, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 96-4; Senate 49-0  
Third Reading Votes: House 93-6; Senate 50-0

Senate amended, House concurred, 83-14.

♣HB 341 Ralph Lenhart

*Revise Certain Oil and Gas Operations in Makoshika State Park*

An act prohibiting oil or gas exploration and development in Makoshika State Park from disturbing the surface of the state park; allowing oil and gas development in certain instances; and providing an immediate effective date.

Amending section 82-11-127, MCA.

-172- Mineral Development

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes: House 85-11, Senate 50-0  
Third Reading Votes: House 85-12; Senate 48-2

Senate amended, House concurred, 91-9.

♣ HJ 3 Karl Ohs

*Interim Study of Incentives to Promote Voluntary Cleanup of Contaminated Sites*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Environmental Quality Council to coordinate with other appropriate agencies to study the need for and utility of tax and other types of financial incentives to encourage voluntary cleanup and redevelopment of contaminated properties within Montana.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 95-5; Senate 50-0  
Third Reading Votes: House 95-4; Senate 46-0

♣ SB 265 Duane Grimes

*Montana Mining Exploration and Development Act*

An act providing for exploration incentive tax credits for activities involving exploration for mineral and coal deposits in the state; providing a tax deduction for donated exploration information; and providing an immediate effective date and a retroactive applicability date.

Committee Hearings: Senate Natural Resources  
House Taxation

Mineral Development - 173-

Second Reading Votes:

Senate 43-5; House 73-27

Third Reading Votes:

Senate 39-10; House 73-26

House amended, Senate concurred, 42-8.

♠SB 345 Debbie Shea

*Provide for Expansion of Pre-existing Mines That Use Cyanide*

An act providing for the continuation of a mine or any amended permit for that mine that is necessary for the continued operation of that mine; and providing an immediate effective date.

Amending section 82-4-390, MCA.

Committee Hearings:

Senate Natural Resources

House Natural Resources

Second Reading Votes:

Senate 29-19; House 60-40

Third Reading Votes:

Senate 29-21; House 62-35

House amended, Senate concurred, 47-3.

♠SB 362 Tom Keating

*Revise Oil and Gas Bond Requirement*

An act authorizing the use of a surety bond in addition to the other methods of guarantee to ensure the proper closure of oil and gas wells.

Amending section 82-11-163, MCA.

Committee Hearings:

Senate Natural Resources

House Natural Resources

Second Reading Votes:

Senate 50-0; House 98-0

Third Reading Votes:

Senate 48-0; House 96-2

♣ SB 492 Lorents Grosfield

*Mining Reclamation Through RIT*

An act allocating the Resource Indemnity and Ground Water Assessment tax proceeds to mineral development reclamation projects when the balance in the Resource Indemnity Trust totals \$100 million; revising the distribution of Resource Indemnity and Ground Water Assessment proceeds; requiring Reclamation and Development Grant prioritization for reclamation projects; and providing effective dates.

Amending sections 7-6-2225, 7-6-2226, 15-37-117, 15-38-106, 20-9-231, 85-1-604, 85-2-905, 90-2-1104, 90-2-1112, and 90-2-1113, MCA.

Committee Hearings:

Senate Natural Resources  
House Taxation

Second Reading Votes:

Senate 38-11; House 98-2

Third Reading Votes:

Senate 40-9; House 98-2

House amended, Senate concurred, 49-1.

Failed

♣ HB 345 Bob Raney

*Certified Weed Free Sand and Gravel on Road Projects*

An act generally revising the laws relating to noxious weeds in road construction materials; requiring the Department of Transportation to use only materials that are free of noxious weeds in the construction and maintenance of highways; requiring the operator of certain opencut-mining operations to have a noxious weed management plan in place before mining can begin; and providing a delayed effective date.

Amending sections 82-4-431 and 82-4-432, MCA.

Committee Hearings:

House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Vote:

House 92-6

Third Reading Vote:

House 92-8

Tabled in Senate committee.

◆ HB 520 Ron Erickson

*Revise Metal Mines Reclamation Act*

An act requiring that a reclamation plan provide sufficient measures to prevent the pollution of surface water and ground water; requiring an applicant to provide financial assurance in the performance bond process; clarifying the burden of proof in an action for damages to water supply; and providing an immediate effective date.

Amending sections 82-4-336, 82-4-338, and 82-4-355, MCA.

Committee Hearing:

House Natural Resources

Tabled in House committee.

◆ HB 610 Karl Ohs

*Revise Opencut Mining Act*

An act generally revising the Opencut Mining Act; deleting the regulation of phosphate mining from the Opencut Mining Act; requiring a complete opencut reclamation plan at the time of application for an opencut mining permit; replacing requirements for obtaining a reclamation contract with requirements for obtaining an opencut mining permit; modifying opencut mine bonding provisions; modifying opencut mine permitting thresholds; increasing annual reporting requirements; and providing an applicability date.

Amending sections 82-4-402, 82-4-403, 82-4-405, 82-4-422, 82-4-423, 82-4-427, 82-4-431, 82-4-432, 82-4-433, 82-4-434, and 82-4-441, MCA.

Committee Hearing:

House Natural Resources

Tabled in House committee.

☛ HB 663 Hal Harper

*Develop Unified Reclamation Plan for Silver Creek Area*

An act creating local community development through Department of Natural Resources and Conservation grants for the restoration of watersheds; authorizing local Conservation Districts and local Watershed Restoration Councils to apply for watershed restoration grants; providing the department with rulemaking authority in administering grants; establishing the Watershed Restoration Development Account; authorizing Silver Creek watershed restoration as a model pilot project; appropriating up to \$2,170,000 from the tax revenue proceeds of any sale of energy generation assets; and providing an effective date.

Committee Hearing:

House Appropriations

Tabled in House committee.

☛ HJ 39 Rick Dale

*Interim Study on Socio-Economic Implications of I-37 on Montana*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana authorizing an interim study of the fiscal effects, revenue implications, potential state liability for a takings action, impact on school equalization revenue, and the socioeconomic impacts of Initiative Measure No. 137.

Died in process.

☛ SB 285 John Bohlinger

*Submit Mining Claim Filing Fee Increase to Electorate*

An act increasing the fee for recording a certificate of location of a mining or millsite claim; providing a contingent voidness provision; and providing an effective date.

Amending section 7-4-2631, MCA.

Committee Hearing: Senate Finance and Claims

Tabled in Senate committee.

☛ SB 298 Tom Keating

*Revise Method of Appropriation of Reclamation and Development Grants*

An act generally revising the method by which funds are allocated from the Reclamation and Development Grants Program account; eliminating grants from the Reclamation and Development Grants Program; reallocating funds from the grants program to provide for the funding of oil, gas, and mine reclamation projects; and providing an effective date.

Amending sections 15-37-117, 15-38-106, 15-38-202, 17-7-111, 90-2-1101, 90-2-1102, 90-2-1103, 90-2-1104, and 90-2-1112, MCA; and repealing sections 90-2-1105, 90-2-1111, 90-2-1113, 90-2-1114, and 90-2-1121, MCA.

Committee Hearing: Senate Finance and Claims

Tabled in Senate committee.

☛ SB 313 Ken Mesaros

*Uniform Environmental Enforcement Act*

An act adopting the Uniform Environmental Enforcement Act and the  
-178- Mineral Development

Uniform Hard-rock and Opencut Mining Enforcement Act; generally revising the enforcement provisions in the regulatory statutes administered by the Department of Environmental Quality; and providing a delayed effective date and an applicability date.

Amending sections 75-2-111, 75-2-212, 75-2-402, 75-2-411, 75-2-503, 75-2-508, 75-2-514, 75-5-201, 75-5-307, 75-5-311, 75-5-401, 75-5-403, 75-5-636, 75-6-103, 75-6-111, 75-10-104, 75-10-106, 75-10-118, 75-10-204, 75-10-206, 75-10-212, 75-10-231, 75-10-232, 75-10-233, 75-10-405, 75-10-408, 75-10-541, 75-10-542, 75-10-907, 75-10-943, 75-11-204, 75-11-505, 75-20-204, 75-20-407, 75-20-408, 76-4-102, 76-4-109, 82-4-305, 82-4-311, 82-4-321, 82-4-331, 82-4-335, 82-4-360, 82-4-422, and 82-4-424, MCA; and repealing sections 75-2-401, 75-2-403, 75-2-413, 75-2-421, 75-2-422, 75-2-423, 75-2-424, 75-2-425, 75-2-426, 75-2-427, 75-2-428, 75-2-429, 75-5-602, 75-5-603, 75-5-604, 75-5-611, 75-5-612, 75-5-613, 75-5-614, 75-5-615, 75-5-616, 75-5-617, 75-5-621, 75-5-622, 75-5-631, 75-5-635, 75-5-641, 75-6-109, 75-6-110, 75-6-114, 75-10-227, 75-10-228, 75-10-413, 75-10-414, 75-10-415, 75-10-416, 75-10-417, 75-10-424, 75-10-540, 75-10-944, 75-11-218, 75-11-219, 75-11-220, 75-11-223, 75-11-512, 75-11-513, 75-11-515, 75-11-516, 75-11-518, 76-4-108, 76-4-110, 82-4-361, and 82-4-441, MCA.

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.

¶ SB 343 Chuck Swysgood

*Extend Prohibition on Cyanide Heap Leach Mining*

An act prohibiting open-pit mining for gold or silver using cyanide heap leaching or vat leaching processes with cyanide ore processing reagents; allowing certain existing uses; providing that the proposed act be submitted to the qualified electors of Montana in November 2000; providing a contingent voidness provision; and providing an effective date.

Committee Hearing: Senate Natural Resources

Tabled in Senate committee.

☛ SB 344 Chuck Swysgood

*Repeal Cyanide Mining Prohibition; Submit to Voters November 2000*

An act repealing the prohibition on the open-pit mining for gold or silver using cyanide heap leaching or vat leaching processes with cyanide ore processing reagents; submitting the repeal to the qualified electors of Montana; and providing an effective date.

Repealing section 82-4-390, MCA.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 28-20; House 41-59  
Third Reading Vote: Senate 29-21

☛ SB 376 Bea McCarthy

*Montana Contractor Preference on Natural Resource Reclamation Work*

An act establishing a resident natural resource damage reclamation contractor preference; and providing an immediate effective date.

Committee Hearing: Senate Natural Resources

Second Reading Vote: Senate 24-25  
Motion to indefinitely postpone failed, 24-25.  
Second Reading Vote: Senate 15-34  
Motion to indefinitely postpone passed, 32-17.

## - Local Impact Mitigation -

Passed

◆ HB 644 Lila Taylor

*Create the Governor's Local Coal Impacts Review Council*

An act creating the Governor's Local Coal Impact Review Council; describing the composition, purpose, and authority of the council; appropriating funds for the expenses of the council; and providing an effective date and a termination date.

Committee Hearings: House Appropriations  
Senate Finance and Claims

Second Reading Votes: House 74-26; Senate 39-10

Third Reading Votes: House 70-29; Senate 41-9

◆ SB 502 Lorents Grosfield

*Revise Laws Related to Hard Rock Mining Impacts*

An act generally revising laws relating to hard-rock mining impacts; providing that a payment guarantee for a facility impact bond must be made through a third-party financial institution; clarifying the minimum allocation of taxable valuation of gross proceeds to units of local government; revising the allocation of the Metal Mines License Tax; revising the time and minimum distribution of revenue to trust accounts; and providing an immediate effective date.

Amending sections 15-37-117, 90-6-302, 90-6-310, 90-6-331, and 90-6-404, MCA.

Committee Hearings: Senate Taxation  
House Taxation

Second Reading Votes: Senate 47-0; House 95-4

Third Reading Votes: Senate 49-0; House 94-4

Mineral Development - 181-

# Solid and Hazardous Waste and Hazardous Materials Management

## - Hazardous Materials Management -

Passed

◆ HB 58 Cindy Younkin

### *Revise Petroleum Tank Release Cleanup Fund*

An act modifying the eligibility requirements for reimbursement from the Petroleum Tank Release Cleanup Fund; and providing an immediate effective date and an applicability date.

Amending sections 75-11-302 and 75-11-308, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 99-0; Senate 43-0  
House 100-0; Senate 49-0

Senate amended, House concurred, 96-3.

◆ HB 89 Sylvia Bookout-Reinicke

### *Limit Term of Emergency Response Commission*

An act revising the laws concerning the State Emergency Response Commission; reducing the members of the commission from 20 to 19; providing for the terms of office of the members; providing for the appointment of two presiding officers of the commission; and providing an applicability date.

Amending section 10-3-1204, MCA.

Committee Hearings: House State Federal Relations  
Senate State Administration

Second Reading Votes: House 97-1; Senate 46-0  
Third Reading Votes: House 98-0; Senate 48-0

◆ HB 92 Roger Somerville

*Fund Natural Resource Damage Litigation Program*

An act appropriating money to the Department of Justice for technical, legal, and administrative activities for the State of Montana natural resource damage assessment, litigation, and settlement implementation in the Clark Fork River Basin; requiring repayment of the expended amounts from any recovery in the litigation; clarifying that recovered funds are not deposited in the Hazardous Waste/CERCLA special revenue account or the Environmental Quality Protection Fund; and providing effective dates and a retroactive applicability date.

Amending sections 5 and 6, chapter 154, Laws of 1997.

Committee Hearings: House Natural Resources  
Senate Finance and Claims

Second Reading Vote: House 82-18  
Rereferred to House Appropriations

Second Reading Votes: House 86-14; Senate 50-0  
Third Reading Votes: House 77-21; Senate 49-1

◆ HB 158 Karl Ohs

*Revise Storage Tank Inspection and Closure Law*

An act amending the Montana underground storage tank installer licensing and permitting law to include tank inspectors and authorizing licensure of tank inspectors; amending the Montana underground storage

tank law to require underground storage tank inspections; authorizing the Department of Environmental Quality to close certain underground storage tanks; creating a lien in favor of the state for costs incurred in closing a tank; increasing the fee for underground storage tanks; providing a contingent voidness provision; and providing effective dates.

Amending sections 75-11-201, 75-11-202, 75-11-203, 75-11-204, 75-11-211, 75-11-218, 75-11-223, 75-11-504, 75-11-505, and 75-11-512, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 71-28; Senate 36-13

Third Reading Votes: House 76-22; Senate 42-8

Senate amended, House concurred, 75-21.

◆HB 331 Chris Ahner

*Authorize Local Health Boards to Adopt Institutional Controls at Specified Sites*

An act authorizing local boards of health to adopt and enforce institutional controls at federal superfund sites and at sites regulated under the Montana Comprehensive Environmental Cleanup and Responsibility Act; and providing an immediate effective date.

Amending sections 50-2-101 and 50-2-116, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 93-6; Senate 43-0

Third Reading Votes: House 93-6; Senate 49-0

◆ HB 486 Shiell Anderson

*Generally Revise CECRA*

An act defining "institutional control"; clarifying the definition of "orphan share"; requiring that the Department of Environmental Quality give due consideration to institutional controls in selecting remedial actions; establishing an institutional control process; proportionately reducing the orphan share if a potentially responsible person recovers remedial action costs from a financially responsible party; and providing an immediate effective date.

Amending sections 75-10-701, 75-10-715, and 75-10-721, MCA; and repealing section 27, chapter 584, Laws of 1995.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 52-47; Senate 50-0

Third Reading Votes: House 55-45; Senate 49-0

Senate amended, House concurred, 62-37.

◆ HB 617 Karl Ohs

*Revise and Restructure Petroleum Storage Tank Cleanup Fund*

An act restructuring the membership of the Petroleum Tank Release Compensation Board; revising the authority of the board; and providing an effective date.

Amending sections 2-15-2108 and 75-11-318, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 95-3; Senate 49-0

Third Reading Votes: House 95-4; Senate 46-4

◆ HJ 3 Karl Ohs

*Interim Study of Incentives to Promote Voluntary Cleanup of Contaminated Sites*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Environmental Quality Council to coordinate with other appropriate agencies to study the need for and utility of tax and other types of financial incentives to encourage voluntary cleanup and redevelopment of contaminated properties within Montana.

Committee Hearings:	House Natural Resources Senate Natural Resources
Second Reading Votes:	House 95-5; Senate 50-0
Third Reading Votes:	House 95-4; Senate 46-0

◆ SB 314 Duane Grimes

*Revise Laws Related to Asbestos Abatement*

An act generally revising the laws relating to the enforcement of the asbestos abatement laws; revising the laws relating to denial, suspension, and revocation of accreditation; authorizing inspections; and providing for cleanup orders, administrative assessment of civil penalties, and injunctions.

Amending sections 75-2-508 and 75-2-514, MCA; and contingently repealing section 75-2-514, MCA.

Committee Hearings:	Senate Natural Resources House State Administration
Second Reading Votes:	Senate 50-0; House 87-10
Third Reading Votes:	Senate 47-1; House 91-8

Failed

☛ HB 159 Karl Ohs

*Submit Underground Storage Tank Inspector Fee to Vote*

An act establishing a new fee for underground storage tank inspector license applications and examinations; submitting the new fee to the electorate; providing a contingent voidness provision; and providing an immediate effective date.

Committee Hearing: House Natural Resources

Tabled in House committee.

☛ HB 160 Karl Ohs

*Submit Fee for Renewal of Underground Tank Inspector License to Electorate*

An act establishing a new fee for the annual renewal of underground storage tank inspector licenses; submitting the new fee to the electorate; providing a contingent voidness provision; and providing an immediate effective date.

Committee Hearing: House Natural Resources

Tabled in House committee.

☛ HB 161 Karl Ohs

*Submit Underground Tank Inspector Examination Guide Fee to Electorate*

An act establishing a new fee for the production and distribution of study guides for underground storage tank inspector licensees; submitting the new fee to the electorate; providing a contingent voidness provision; and providing an immediate effective date.

Committee Hearing:

House Natural Resources

Tabled in House committee.

☛ HB 162 Karl Ohs

*Submit Underground Tank Inspector Fee to Electorate*

An act establishing a new fee for the reexamination of applicants for underground storage tank inspector licenses; submitting the new fee to the electorate; providing a contingent voidness provision; and providing an immediate effective date.

Committee Hearing:

House Natural Resources

Tabled in House committee.

☛ HB 163 Karl Ohs

*Submit Underground Tank Inspector Duplicate License Fee to Electorate*

An act establishing a new fee for the issuance of a duplicate underground storage tank inspector license; submitting the new fee to the electorate; providing a contingent voidness provision; and providing an immediate effective date.

Committee Hearing:

House Natural Resources

Tabled in House committee.

☛ HB 164 Karl Ohs

*Submit Registration Fee for Certain Underground Tanks to Electorate*

An act increasing the annual registration fee assessed on underground storage tanks 1,100 gallons or less; providing for proration of the fee;

submitting the fee increase to the electorate; providing a contingent voidness provision; and providing an immediate effective date.

Committee Hearing: House Natural Resources

Tabled in House committee.

☛ HB 165 Karl Ohs

*Submit Increase in Registration Fee for Tanks over 1,100 Gallons to Electorate*

An act increasing the annual registration fee assessed on underground storage tanks over 1,100 gallons; providing for proration of the fee; submitting the fee increase to the electorate; providing a contingent voidness provision; and providing an immediate effective date.

Committee Hearing: House Natural Resources

Tabled in House committee.

☛ HB 453 Gail Gutsche

*Revise Fertilizer Laws*

An act requiring that if analysis by the Department of Agriculture reveals the presence of a heavy metal, arsenic, or organochlorine in a commercial fertilizer or soil amendment at a level that presents a threat to the public health, safety, or welfare as determined by a standard developed by rule of the Department of Environmental Quality, the Department of Agriculture shall prohibit the sale of the commercial fertilizer or soil amendment that presents the threat.

Amending sections 80-10-206 and 80-10-301, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.



☛ HB 600 Gail Gutsche

*Protect Children and Pregnant Women from Environmental Hazards*

An act requiring the Department of Environmental Quality to adopt standards to protect children and pregnant women from the full range of health effects that may be associated with prenatal and other exposures to pollutants; and providing an immediate effective date and an applicability date.

Committee Hearing:

House Human Services

Tabled in House committee.

☛ SB 316 Linda Nelson

*Exempt Certain Home Heating Oil Tanks from Certain Fines*

An act eliminating tanks storing heating oil for on-premises use from the definition of "underground storage tank"; and providing an immediate effective date and a retroactive applicability date.

Amending section 75-11-503, MCA.

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.

☛ SB 465 Greg Jergeson

*Limit Underground Tank Owner Liability Under Certain Circumstances*

An act limiting the financial obligation for corrective action and third-party damages for certain owners and operators of commercial motor fuel petroleum storage tanks; and providing an immediate effective date and a retroactive applicability date.

Amending section 75-11-307, MCA.

Solid and Hazardous Waste -191-

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.

- Hazardous Waste -

Passed

♠HB 113 Cindy Younkin

*Revise Hazardous Waste Act*

An act providing the Department of Environmental Quality with corrective action order authority under the Montana Hazardous Waste Act.

Committee Hearings:

House Natural Resources  
Senate Natural Resources

Second Reading Votes:

House 91-6; Senate 50-0

Third Reading Votes:

House 86-8; Senate 50-0

Senate amended, House concurred, 99-0.

♠SB 462 Lorents Grosfield

*Generally Authorize Environmental Control Easements*

An act generally authorizing environmental control easements; allowing the acquisition of environmental control sites; limiting the conversion or diversion of environmental control sites from the purposes specified in the environmental control easement; restricting the conveyance or lease of environmental control sites; authorizing public body powers in connection with environmental control easements; providing for the creation and approval of environmental control easements; specifying the duration of environmental control easements; providing for permissible easements; designating grantees of environmental control easements;

-192- Solid and Hazardous Waste

providing for reporting requirements by qualified private organizations; authorizing the assignability of easements; providing for coordination with local planning authorities; requiring the recording and description of environmental control easements; exempting certain interest held by a grantee from property taxes; providing for easement enforcement and liability; and providing an effective date.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 40-9; House 59-40

Third Reading Votes: Senate 40-9; House 66-34

House amended, Senate concurred, 46-4.

### - Solid Waste -

Passed

HB 17 Bob Lawson

*Limit Solid Waste Fees for Home-Based Businesses in Single Family Residence*

An act limiting the rate that a solid waste management district may charge a family residential unit in which a home-based business is operated; and providing an immediate effective date and an applicability date.

Amending section 7-13-232, MCA.

Committee Hearings: House Local Government  
Senate Local Government

Second Reading Votes: House 76-24; Senate 49-0

Third Reading Votes: House 85-13; Senate 49-0

♣ SB 126 William Crismore

*Septic Disposal and Licensure Requirements*

An act establishing requirements for the disposal of septage and requiring licensure of those engaged in that business; providing the Department of Environmental Quality with rulemaking authority; establishing a license and license renewal fee; providing for injunctive relief; providing the department with the authority to revoke or deny a license; providing the department with administrative enforcement authority; authorizing criminal fines and civil penalties; creating a septage special revenue account; transferring certain funds; and providing effective dates.

Repealing sections 37-41-101, 37-41-103, 37-41-104, 37-41-105, 37-41-201, 37-41-202, 37-41-205, 37-41-211, and 37-41-212, MCA.

Committee Hearings:

Senate Business and  
Industry  
House Business and Labor

Second Reading Votes:

Senate 48-0; House 89-10

Third Reading Votes:

Senate 44-3; House 87-13

House amended, Senate concurred, 49-0.

♣ SB 166 J. D. Lynch

*Revise Responsibility for Handling Abandoned Vehicles--Vehicle Disposal Fees*

An act revising county sheriff and city police responsibilities for handling abandoned vehicles; providing for payment of certain abandoned vehicle removal charges from motor vehicle disposal fees, subject to the availability of funding; transferring responsibility for determining value of a junk vehicle from the state to counties; and providing an effective date.

Amending sections 61-12-401, 61-12-402, 61-12-403, 61-12-404, 75-10-503, and 75-10-532, MCA.

Committee Hearings: Senate Local Government  
House Local Government

Second Reading Votes: Senate 45-0; House 88-11

Third Reading Votes: Senate 49-0; House 81-17

Governor amended: Senate concurred, 49-0, House concurred, 89-10.

♠ SB 239 Glenn Roush

*Clarify Sharing of Information with Solid Waste Management District Boards*

An act requiring the Department of Revenue to aid Solid Waste Management District Boards by providing information to be used to determine rates for service charges.

Amending section 7-13-231, MCA.

Committee Hearings: Senate Local Government  
House Local Government

Second Reading Votes: Senate 43-5; House 81-18

Third Reading Votes: Senate 45-1; House 74-25

House amended, Senate concurred, 49-0.

♠ SB 321 Reiny Jabs

*Revise Definition of Container Site*

An act revising the definition of "container site".

Amending section 75-10-103, MCA.

Committee Hearings: Senate Local Government  
House Natural Resources

Second Reading Votes:

Senate 48-0; House 93-6

Third Reading Votes:

Senate 45-0; House 91-8

♠ SB 374 J. D. Lynch

*Exempt Local Waste Hauler from Overweight Vehicle Fines on Route to Landfill*

An act allowing class D motor carriers to exceed total gross weight limitations by 10 percent when hauling garbage on the highway.

Amending section 61-10-144, MCA.

Committee Hearings:

Senate Highways and  
Transportation  
House Transportation

Second Reading Votes:

Senate 35-13; House 63-35

Third Reading Votes:

Senate 33-15; House 55-44

Failed

♠ HB 169 Joe Quilici

*Repeal Certain Junkyard Statutes*

An act eliminating the regulations and restrictions on the establishment, operation, and maintenance of junkyards in areas adjacent to the state's highways; eliminating the Department of Transportation's licensing and rulemaking responsibilities as they relate to the establishment, location, screening, and fencing of junkyards; and eliminating the department's authority to acquire property to provide screening for junkyards.

Repealing sections 75-15-201, 75-15-202, 75-15-203, 75-15-204, 75-15-205, 75-15-211, 75-15-214, 75-15-215, 75-15-222, and 75-15-223, MCA.

Committee Hearing:

House Transportation

Tabled in House committee.

-196- Solid and Hazardous Waste

☛ SB 123 William Crismore

*Septic Disposal Fee Increase*

An act establishing yearly septic disposal license fees for persons engaged in the business of cleaning cesspools, septic tanks, or privies or disposing of septage; submitting the new fee to the electorate; providing a contingent voidness provision; and providing an effective date.

Committee Hearings:	Senate Business and Industry House Business and Labor
---------------------	---

Second Reading Vote:	Senate 48-0
----------------------	-------------

Third Reading Vote:	Senate 43-3
---------------------	-------------

Tabled in House committee.

☛ SB 125 William Crismore

*Increase Base of Entities Subject to Septic Disposal Fee*

An act establishing a new septic disposal license late renewal fee for a person engaged in the business of cleaning cesspools, septic tanks, or privies or disposing of septage when the person has failed to submit a license renewal fee prior to the expiration of that person's current license; submitting the new late fee to the electorate; providing a contingent voidness provision; and providing an effective date.

Committee Hearings:	Senate Business and Industry House Business and Labor
---------------------	---

Second Reading Vote:	Senate 48-0
----------------------	-------------

Third Reading Vote:	Senate 43-4
---------------------	-------------

Tabled in House committee.

☛ SB 366 Sue Bartlett

*Mobile Home Recycling*

An act authorizing local governments to remove, recycle, and dispose of abandoned and deserted mobile homes; authorizing the use of county junk vehicle program funds for the purpose; requiring state approved plans prior to reimbursement of costs; describing allowable costs; and providing an effective date.

Amending section 75-10-532, MCA.

Committee Hearings:	Senate Local Government House Local Government
---------------------	---

Second Reading Vote:	Senate 44-5
----------------------	-------------

Third Reading Vote:	Senate 40-9
---------------------	-------------

Tabled in House committee.

☛ SB 433 Dorothy Eck

*Modify Local Authority Under Sanitation and Subdivision Law*

An act modifying and clarifying local board of health authority under the laws relating to sanitation in subdivisions; establishing requirements relating to inspection prior to review of sewage systems and installation of sewage systems; authorizing additional subdivision review by local boards of health; establishing procedures for halting construction of sewage disposal or water supply systems under certain conditions; requiring local board of health review of preliminary plans for onsite sewage disposal; authorizing local boards of health to assess fees to conduct duties under the laws relating to sanitation in subdivisions; and providing an applicability date.

Amending sections 50-2-116, 76-4-104, 76-4-107, 76-4-108, 76-4-125, and 76-4-128, MCA.

Committee Hearing:

Senate Public Health,  
Welfare and Safety

Tabled in Senate committee.

# Taxation of Minerals and Allocation of Mineral Revenues

## - Mineral Tax Rates -

Passed

◆ HB 420 Rick Dale

*Allow Deduction of Transportation Costs in Computing Taxes on Metal Mines*

An act revising the definition of "receipts received" to include transportation costs as a deduction for the purposes of determining the gross proceeds tax of metal mines and the metalliferous mines license tax; and providing an immediate effective date and a retroactive applicability date.

Amending section 15-23-801, MCA.

Committee Hearings: House Taxation  
Senate Finance and Claims

Second Reading Votes: House 63-36; Senate 36-13  
Third Reading Votes: House 64-36; Senate 40-10

Senate amended, House did not concur, 65-35.

Conference committee report adopted: House 69-31, Senate 38-12.

◆ HB 658 Edith Clark

*Revise Local Government Severance Tax to Include "Stripper Well Exemption"*

An act exempting from the oil production tax that is attributable to county and school taxing units oil production from a stripper well that produces 3 barrels a day or less if the average price of a barrel of oil during a calendar quarter is less than \$30; providing a definition of "stripper well exemption"; and providing an immediate effective date and an applicability date.

Amending sections 15-36-303, 15-36-304, and 15-36-324, MCA.

Committee Hearings: House Taxation  
Senate Taxation

Second Reading Votes: House 91-9; Senate 49-0

Third Reading Votes: House 91-9; Senate 48-2

Senate amended, House concurred, 80-19.

◆ HB 661 Bill Rehbein

*Revise Taxation of Oil Production from a Stripper Well*

An act revising the taxation of oil production produced from a stripper well; revising the definition of "stripper oil"; reducing the tax rate on certain stripper oil production; clarifying the requirements for reporting oil and natural gas production from pre-1985 wells and post-1985 wells; and providing an immediate effective date and an applicability date.

Amending sections 15-36-303, 15-36-304, 15-36-311, and 15-36-324, MCA.

Committee Hearings: House Taxation  
Senate Taxation

Second Reading Votes: House 62-38; Senate 47-2

Third Reading Votes: House 63-34; Senate 46-4

Senate amended, House concurred, 64-35.

◆ SB 401 Ric Holden

*Redefine Agricultural Use for Gasoline and Special Fuel Tax Refunds*

An act revising the definition of "agricultural use" for gasoline and special fuel tax refund purposes; allowing a person who earns income while

engaging in the business of farming or ranching to receive gasoline and special fuel tax refunds according to the ratio of the person's gross earned farm income to total gross earned income; allowing the Department of Transportation to verify that a person qualifies as an agricultural user of gasoline and special fuel; and providing an effective date and a termination date.

Amending sections 15-30-303, 15-70-201, 15-70-223, 15-70-301, and 15-70-362, MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 33-16; House 87-13  
Third Reading Votes: Senate 32-17; House 93-5

House amended, Senate concurred, 45-5.

◆ SB 430 Glenn Roush

*Royalty Administration Fee Not Taxable Value for Oil Production*

An act clarifying that fees received by an oil producer or operator to administer royalty payments does not constitute value of oil production for tax purposes; and providing an immediate effective date and a retroactive applicability date.

Amending section 15-36-305, MCA.

Committee Hearings: Senate Business and  
Industry  
House Taxation

Second Reading Votes: Senate 45-4; House 92-6  
Third Reading Votes: Senate 47-2; House 93-5

House amended, Senate concurred, 49-0.

◆ SB 530 Al Bishop

*Generally Revise the Taxation of Oil and Natural Gas Production*

An act generally revising the taxation of oil and natural gas production; revising the definition of "qualifying production" and definitions related to wells; shortening the time period for lower tax rates for qualifying production; revising tax rates applied to oil and natural gas production; providing a tax incentive for horizontally completed natural gas wells; establishing uniform tax rates for nonworking interest owners; revising the distribution of oil and gas production taxes; providing a 1-year phase-in of certain provisions; and providing effective dates, applicability dates, and a termination date.

Amending sections 15-36-303, 15-36-304, 15-36-324, 15-36-326, 17-7-502, 20-9-104, 20-9-161, 20-9-331, 20-9-333, 20-9-501, and 20-9-507, MCA; and repealing sections 15-36-323 and 15-36-325, MCA.

Committee Hearings:

Senate Taxation  
House Taxation

Second Reading Votes:

Senate 42-5; House 65-31

Third Reading Votes:

Senate 42-5; House 65-34

House amended, Senate concurred, 44-6.

Failed

◆ SB 249 Tom Keating

*Sunset RIT Tax*

An act repealing the Resource Indemnity Trust Tax when the balance in the Resource Indemnity Trust totals \$100 million; renaming the Resource Indemnity Trust and Ground Water Assessment Act; eliminating the diversion of trust tax proceeds; and providing effective dates and an applicability date.

Amending sections 15-36-304, 15-36-324, 15-38-101, 15-38-102, 15-38-103, 15-38-202, 75-10-743, 85-1-604, 85-2-905, and 90-2-1104, MCA; repealing sections 15-36-320, 15-38-104, 15-38-105, 15-38-106, 15-38-107, 15-38-108, 15-38-109, 15-38-110, 15-38-111, 15-38-112, 15-38-113, 15-38-121, 15-38-125, 15-38-126, 15-38-127, 15-38-128, and 15-38-129, MCA.

Committee Hearings: Senate Natural Resources  
House Taxation

Second Reading Vote: Senate 31-18

Third Reading Vote: Senate 31-18

Tabled in House committee.

Motion failed 2 times to take from committee and place on 2nd reading.

☛ SB 311 Arnie Mohl

*Limit Fuel Tax Refund to Agricultural Use*

An act limiting the eligibility for gasoline tax refunds and credits to applicants who are engaged in the business of farming, ranching, mining, or operating a railroad; including the harvesting and transport of timber in the definition of "farming" for the purposes of gasoline tax refunds; submitting to the electorate the gasoline tax refund limitation; providing a contingent voidness provision; and providing an effective date.

Amending sections 15-70-201, 15-70-221, 15-70-222, and 15-70-223, MCA.

Committee Hearings: Senate Taxation  
House Taxation

Second Reading Vote: Senate 38-9

Third Reading Vote: Senate 31-17

Tabled in House committee.

- Allocation of Mineral Tax Revenues -

Passed

HB 6 Matt McCann

*Renewable Resource Grants*

An act appropriating money to the Department of Natural Resources and Conservation for grants under the Renewable Resource Grant and Loan Program; prioritizing grants and amounts; establishing conditions for grants; providing for contingent appropriations; and providing effective dates.

Committee Hearings:

House Appropriations  
Senate Finance and Claims

Second Reading Votes:

House 91-7; Senate 49-0

Third Reading Votes:

House 92-8; Senate 49-0

Senate amended, House concurred, 84-15.

HB 8 Matt McCann

*Renewable Resource Bonds and Loans*

An act approving renewable resource projects and authorizing loans; reauthorizing renewable resource projects authorized by the 55th Legislature; appropriating money to the Department of Natural Resources and Conservation for loans under the Renewable Resource Grant and Loan Program; authorizing the issuance of coal severance tax bonds; authorizing the creation of a state debt and appropriating coal severance taxes; placing certain conditions upon loans; and providing an immediate effective date.

Committee Hearings:

House Appropriations  
Senate Finance and Claims

Second Reading Votes:

House 90-9; Senate 47-0

Third Reading Votes:

House 88-9; Senate 47-0

◆ HB 29 Karl Ohs

*Increase Renewable Resources Bonding Authority*

An act increasing to \$20 million the authority to issue general obligation bonds to make loans to individuals and water associations under the Renewable Resource Grant and Loan Program; authorizing the creation of a state debt; and providing an effective date.

Amending section 85-1-624, MCA.

Committee Hearings:

House Natural Resources

Senate Natural Resources

Second Reading Votes:

House 88-10; Senate 49-0

Third Reading Votes:

House 89-10; Senate 49-0

◆ HB 35 Chris Ahner

*Make Resource Development Account Deduction Permanent*

An act removing the termination date for the provision that allows a 3 percent state lands resource development account deduction; and providing an immediate effective date.

Repealing section 4, chapter 247, laws of 1997.

Committee Hearings:

House Natural Resources

Senate Natural Resources

Second Reading Votes:

House 64-34; Senate 49-0

Third Reading Votes:

House 64-32; Senate 49-0

HB 92 Roger Somerville

*Fund Natural Resource Damage Litigation Program*

An act appropriating money to the Department of Justice for technical, legal, and administrative activities for the State of Montana natural resource damage assessment, litigation, and settlement implementation in the Clark Fork River Basin; requiring repayment of the expended amounts from any recovery in the litigation; clarifying that recovered funds are not deposited in the Hazardous Waste/CERCLA special revenue account or the Environmental Quality Protection Fund; and providing effective dates and a retroactive applicability date.

Amending sections 5 and 6, chapter 154, Laws of 1997.

Committee Hearings: House Natural Resources  
Senate Finance and Claims

Second Reading Vote: House 82-18  
Rereferred to House Appropriations.

Second Reading Votes: House 86-14; Senate 50-0  
Third Reading Votes: House 77-21; Senate 49-1

HB 647 Bob Raney

*Create the Bull Trout and Cutthroat Trout Enhancement Program*

An act creating the Bull Trout and Cutthroat Trout Enhancement Program; providing for the enhancement of Montana bull trout and cutthroat trout populations through voluntary enhancement of spawning areas and other habitats for the natural reproduction of bull trout and cutthroat trout; directing that a portion of funding from various sources, including funds appropriated or available to the Department of Fish, Wildlife, and Parks and from the interest on the Resource Indemnity Trust Fund, be used to fund the Bull Trout and Cutthroat Trout Enhancement Program; directing the Department of Fish, Wildlife, and Parks to administer the program; appropriating funds for the enhancement program; revising the membership of the future fisheries

review panel and extending the termination date of the future fisheries improvement program; and providing effective dates and a termination date.

Amending sections 15-38-202 and 87-1-273, MCA, and section 5, chapter 463, Laws of 1995.

Committee Hearings: House Fish, Wildlife and  
Parks  
Senate Fish and Game

Second Reading Votes: House 73-24; Senate 32-18

Third Reading Votes: House 80-18; Senate 27-23

Senate amended, House concurred, 83-15.

Ⓜ HJ 6 Douglas Mood

*Urge Investment of Available Coal Tax Trust Funds in Montana Economic Activities*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Board of Investments to reach the statutory limit for investing the available coal tax trust funds in Montana economic activities.

Committee Hearings: House Joint Select  
Committee on Jobs and  
Income  
Senate Business and  
Industry

Second Reading Votes: House 91-7; Senate 49-0

Third Reading Votes: House 94-6; Senate 48-0

‡SB 49 Chuck Swysgood

*Revise Allocation of RIT Interest for Enumerated Purposes*

An act changing the allocation of the Resource Indemnity Trust and Ground Water Tax proceeds and of the Metal Mines Tax proceeds; changing the distribution of the interest earnings from the Resource Indemnity Trust Fund; and providing an effective date.

Amending sections 7-6-2225, 7-6-2226, 15-37-117, 15-38-106, 15-38-202, 20-9-231, 85-1-332, 85-1-604, 85-1-631, 85-2-905, and 90-2-1104, MCA.

Committee Hearings:

Senate Taxation  
House Appropriations

Second Reading Votes:

Senate 43-3; House 94-6

Third Reading Votes:

Senate 47-3; House 79-19

‡SB 492 Lorents Grosfield

*Mining Reclamation Through RIT*

An act allocating the Resource Indemnity and Ground Water Assessment tax proceeds to mineral development reclamation projects when the balance in the Resource Indemnity trust totals \$100 million; revising the distribution of Resource Indemnity and Ground Water Assessment proceeds; requiring Reclamation and Development Grant prioritization for reclamation projects; and providing effective dates.

Amending sections 7-6-2225, 7-6-2226, 15-37-117, 15-38-106, 20-9-231, 85-1-604, 85-2-905, 90-2-1104, 90-2-1112, and 90-2-1113, MCA.

Committee Hearings:

Senate Natural Resources  
House Taxation

Second Reading Votes:

Senate 38-11; House 98-2

Third Reading Votes:

Senate 40-9; House 98-2

House amended, Senate concurred, 49-1.

♣SB 502 Lorents Grosfield

*Revise Laws Related to Hard-Rock Mining Impacts*

An act generally revising laws relating to hard-rock mining impacts; providing that a payment guarantee for a facility impact bond must be made through a third-party financial institution; clarifying the minimum allocation of taxable valuation of gross proceeds to units of local government; revising the allocation of the Metal Mines License Tax; revising the time and minimum distribution of revenue to trust accounts; and providing an immediate effective date.

Amending sections 15-37-117, 90-6-302, 90-6-310, 90-6-331, and 90-6-404, MCA.

Committee Hearings:

Senate Taxation

House Taxation

Second Reading Votes:

Senate 47-0; House 95-4

Third Reading Votes:

Senate 49-0; House 94-4

Failed

♣SB 248 Tom Keating

*Revise Funding for Ground Water Assessment*

An act eliminating direct allocation of portions of certain natural resource-related tax proceeds to the Ground Water Assessment Account and directing them into the Resource Indemnity Trust; authorizing appropriations from the Renewable Resource Grant and Loan Account for purposes of the Ground Water Characterization Program and the Ground Water Monitoring Program and transferring \$666,000 each fiscal year

-210- Taxation of Minerals

into the Ground Water Assessment Account; directing current ground water program fee collections into the Ground Water Assessment Account; directing the Montana Bureau of Mines and Geology to evaluate additional opportunities for diversification of program resources and funding; and providing an effective date and a termination date.

Amending sections 15-37-117, 15-38-106, 85-1-604, 85-2-905, and 85-2-906, MCA.

Committee Hearing: Senate Natural Resources

Senate committee hearing canceled.  
Missed deadline for general bill transmittal.

☞ SB 298 Tom Keating

*Revise Method of Appropriation of Reclamation and Development Grants*

An act generally revising the method by which funds are allocated from the Reclamation and Development Grants Program account; eliminating grants from the Reclamation and Development Grants Program; reallocating funds from the grants program to provide for the funding of oil, gas, and mine reclamation projects; and providing an effective date.

Amending sections 15-37-117, 15-38-106, 15-38-202, 17-7-111, 90-2-1101, 90-2-1102, 90-2-1103, 90-2-1104, and 90-2-1112, MCA; and repealing sections 90-2-1105, 90-2-1111, 90-2-1113, 90-2-1114, and 90-2-1121, MCA.

Committee Hearing: Senate Finance and Claims

Tabled in Senate committee.

# Water

## - Appropriation and Adjudication -

Passed

‡HB 95 Bob Story

*Generally Revise the Montana Water Use Laws*

An act generally revising the Montana water use laws; clarifying procedures for correct and complete permit applications; clarifying what constitutes a valid objection; changing procedural aspects of certain hearings and mailings; altering procedures for requesting an extension to complete the requirements for a water right permit; and providing an immediate effective date.

Amending sections 85-2-302, 85-2-308, 85-2-309, 85-2-310, and 85-2-312, MCA.

Committee Hearings:

House Natural Resources  
Senate Natural Resources

Second Reading Votes:

House 96-3; Senate 50-0

Third Reading Votes:

House 97-2; Senate 48-0

Senate amended, House concurred, 98-1.

‡HB 429 Jim Shockley

*Bitterroot River Basin Temporary Closure*

An act temporarily closing subbasins of the Bitterroot River Basin to further appropriations and reservations, except for ground water, municipal, and emergency appropriations and some seasonal storage; and providing an immediate effective date and an applicability date.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 96-2; Senate 49-0

Third Reading Votes: House 95-3; Senate 48-0

‡SB 98 Ken Mesaros

*Extend the Department of Fish, Wildlife, and Park's Instream Flow Lease Program and Related Changes*

An act allowing broader leasing of salvage water created through conservation projects; extending for 10 years the term of the instream flow leasing program operated by the Department of Fish, Wildlife, and parks; allowing a longer lease term for leases associated with department investments in water conservation projects; increasing the number of stream reaches that can be leased from; and providing an immediate effective date and a termination date.

Amending sections 85-2-419, 85-2-436, 85-2-437, and 85-2-438, MCA, section 11, chapter 658, Laws of 1989, and sections 4 and 7, chapter 740, Laws of 1991.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 47-0; House 93-7

Third Reading Votes: Senate 46-3; House 92-8

‡SB 216 Chuck Swysgood

*Ratify Water Compact with the Fish, Wildlife and Park Service for Red Rock Lakes Refuge*

An act ratifying a reserved water rights compact between the United States Fish and Wildlife Service and the State of Montana for federally reserved waters associated with the Red Rock Lakes National Wildlife Refuge and Wilderness Area.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 48-0; House 94-5  
Third Reading Votes: Senate 47-1; House 91-8

House amended, Senate concurred, 49-0.

↳ SB 235 Jack Wells

*Specify Presumption of Nonabandonment of Municipal Water Rights*

An act specifying criteria for a presumption of nonabandonment for municipal water rights in waters classified as "A-closed"; and providing an immediate effective date.

Amending section 85-2-227, MCA.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 48-0; House 96-0  
Third Reading Votes: Senate 47-0; House 98-0

↳ SB 371 Ken Mesaros

*Landowner Notice of Intent to Appropriate Ground Water from Other's Land*

An act requiring a person developing a ground water source of 35 gallons a minute or less, when the source is on another person's land, to notify the other landowner in advance of the proposed development and appropriation; and providing an effective date.

Amending section 85-2-306, MCA.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes:

Senate 49-0; House 95-0

Third Reading Votes:

Senate 48-0; House 99-0

◆SB 468 Vicki Cocchiarella

*Temporary Closure of Clark Fork Basin to Consumptive Use Permits/Reservations*

An act temporarily closing the Clark Fork River Basin to further appropriations and reservations for consumptive uses, except for ground water, domestic, municipal, livestock, and emergency appropriations; and providing an immediate effective date, an applicability date, and a termination date.

Committee Hearings:

Senate Natural Resources

House Natural Resources

Second Reading Votes:

Senate 48-0; House 94-2

Third Reading Votes:

Senate 49-0; House 95-5

Failed

◆HB 195 John Cobb

*Voluntary Sharing and Pooling of Irrigation Water Rights*

An act confirming the ability to voluntarily share irrigation water rights and allowing voluntary pooling of irrigation water rights; and providing an immediate effective date and a termination date.

Amending sections 85-2-404 and 85-2-407, MCA.

Committee Hearing:

House Agriculture

Tabled in House committee.

☞ HB 248 Dan Harrington

*Use of Municipal Water or Sewer Utility is Not a Beneficial Use*

An act clarifying that the provision of water and sewer utility services by a municipality or a district to industrial and commercial users does not constitute a beneficial use in the utility service by the industrial or commercial user; and providing a delayed effective date.

Amending section 15-24-1203, MCA.

Committee Hearings: House Taxation  
Senate Taxation

Second Reading Vote: House 89-10

Third Reading Vote: House 99-1

Senate second reading indefinitely postponed, 47-2.

☞ HB 407 Cindy Younkin

*Revise Adjudication Laws*

An act generally revising laws related to the adjudication of water rights; limiting, until related rules are promulgated, water judge authority to amend claims and the department of natural resources' ability and responsibility to assist a water judge after the issuance of certain decrees; further allowing the water court to award defense costs against frivolous claims, objections, and notices; and providing effective dates.

Amending sections 85-2-231 and 85-2-243, MCA.

Committee Hearings: House Judiciary  
Senate Judiciary

Second Reading Vote: House 87-12

Third Reading Vote: House 90-10

Tabled in Senate committee.

- Development and Irrigation -

Passed

♠ HB 205 Bill Tash

*Provide Water Rights Delivery System Easements in Proposed Subdivisions*

An act providing for water rights delivery system easements in proposed subdivisions.

Amending section 76-3-504, MCA.

Committee Hearings: House Natural Resources  
Senate Local Government

Second Reading Votes: House 100-0; Senate 40-0  
Third Reading Votes: House 99-0; Senate 49-0

♠ HB 571 Matt McCann

*Revise Joint Board of Control for Irrigation Districts*

An act providing that a member at large of a Board of Control of multiple irrigation districts may be a nonlandowner representative of a person or entity receiving water from one of the member districts; and providing an immediate effective date.

Amending section 85-7-1611, MCA.

Committee Hearings: House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes: House 99-0; Senate 50-0  
Third Reading Votes: House 98-0; Senate 50-0

♣SB 29 John Hertel

*Revise Statutes Related to Disposal of Certain Water Projects*

An act removing obsolete statutory directives and procedures related to canal projects owned by the Department of Natural Resources and Conservation; applying the canal project purchase preference for existing water users' associations to all department water projects proposed for disposal; and providing an immediate effective date.

Amending section 85-1-211, MCA.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 50-0; House 98-2  
Third Reading Votes: Senate 44-0; House 95-4

♣SB 40 Duane Grimes

*Remove Restrictions on Sale of Power from Broadwater Project .*

An act removing the Department of Natural Resources and Conservation's power sale restrictions for power generated by a state facility; and providing an immediate effective date.

Amending section 85-1-509, MCA.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 49-0; House 89-4  
Third Reading Votes: Senate 50-0; House 91-7

♣ SB 141 Mack Cole

*Exempt In-State Irrigation Pipelines from the Montana Major Facility Siting Act*

An act exempting in-state pipelines used exclusively for irrigation of agricultural crops from the definition of "facility" in the Montana Major Facility Siting Act; and providing an immediate effective date.

Amending section 75-20-104, MCA.

Committee Hearings: Senate Agriculture,  
Livestock and Irrigation  
House Agriculture

Second Reading Votes: Senate 40-1; House 100-0

Third Reading Votes: Senate 48-2; House 99-0

♣ SB 220 Daryl Toews

*Treasure State Endowment Regional Water System Fund*

An act allocating a portion of the Coal Severance Tax Trust Fund for the Treasure State Endowment Regional Water System Fund; providing that the earnings on the fund must be used for regional water systems; and providing an effective date and a termination date.

Amending section 17-5-703, MCA.

Committee Hearings: Senate Finance and Claims  
House Appropriations

Second Reading Votes: Senate 49-0; House 95-3

Third Reading Votes: Senate 49-0; House 97-2

House amended, Senate concurred, 50-0.

- National and Interstate -

Passed

♠ HJ 8 Aubyn Curtiss

*Resolution to Oppose Designation of Any Montana River as an American Heritage River*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana opposing designation of any river in Montana as an American Heritage River under the Federal American Heritage Rivers initiative.

Committee Hearings: House State/Federal Relations  
Senate Natural Resources

Second Reading Votes: House 60-40; Senate 29-20  
Third Reading Votes: House 59-41; Senate 30-19

Senate amended, House concurred, 62-36.

♠ HJ 11 Aubyn Curtiss

*Encourage State Authority in Western Water Issues*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana encouraging that any new or revised federal policy recognize and incorporate western state authorities and interests in water resource policies and issues.

Committee Hearings: House State/Federal Relations  
Senate Natural Resources

Second Reading Votes: House 84-16; Senate 30-11  
Third Reading Votes: House 71-28; Senate 39-10

-220- Water



## - Stream Access -

Failed

☛ SB 418 Chuck Swysgood

### *Clarify Road Right-of-Way*

An act clarifying the scope of bridge easements on county and state rights-of-way; prohibiting the use of a right-of-way for recreational access to the underlying streambed or watercourse unless that access is specifically stated in the easement; and providing applicability dates. Amending sections 7-14-2107, 7-14-2112, 60-1-103, and 60-4-101, MCA.

Committee Hearing:

Senate Fish and Game

Tabled in Senate committee.

## - Water Quality -

Passed

☛ HB 74 Doug Mood

### *Generally Revise Fiscal Aspects of Drinking Water/Wastewater Revolving Funds*

An act generally revising the laws relating to the wastewater treatment and safe drinking water treatment revolving funds; authorizing the creation of state debt; and providing an immediate effective date and a retroactive applicability date.

Amending sections 75-5-1106, 75-5-1113, 75-5-1121, 75-6-211, 75-6-224, 75-6-225, MCA, and section 16, chapter 553, Laws of 1995.

Committee Hearings:

House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 89-11; Senate 49-0  
Third Reading Votes: House 88-11; Senate 50-0

Senate amended, House concurred, 93-5.

◆ HB 110 Royal Johnson

*Water Pollution Control State Revolving Fund--Additional Bonding Authority*

An act authorizing an additional \$15 million in general obligation bonds to provide the state matching funds for the water pollution control state revolving fund; authorizing the creation of state debt; and providing an immediate effective date.

Amending section 75-5-1122, MCA.

Committee Hearings: House Appropriations  
Senate Finance and Claims

Second Reading Votes: House 86-13; Senate 50-0  
Third Reading Votes: House 84-13; Senate 50-0

◆ HB 284 Bob Story

*Revise Conservation District Laws*

An act revising laws governing Conservation Districts; providing immunity to Conservation Districts and their supervisors and employees; authorizing Conservation Districts and other political subdivisions to satisfy a settlement using funds authorized by 2-9-316; authorizing Conservation Districts to execute their duties and responsibilities relating to streambed preservation under the procedures of Title 76, chapter 15; authorizing Conservation Districts to be involved in the development of various water projects; authorizing Conservation Districts to apply for, accept, and expend funds, grants, and loans; and providing an immediate effective date and a retroactive applicability date.

Amending sections 2-9-316, 76-15-320, 76-15-403, and 76-15-501, MCA.

Committee Hearings: House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes: House 87-13; Senate 49-0

Third Reading Votes: House 87-11; Senate 49-0

◆ HB 392 Bill Tash

*Expand DEQ Consultation with TMDL Advisory Group*

An act expanding the requirements for the Department of Environmental Quality to consult with the statewide TMDL advisory group on matters related to water quality monitoring, assessment, and TMDL development; and providing an immediate effective date.

Amending sections 75-5-702 and 75-5-703, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 96-4; Senate 50-0

Third Reading Votes: House 95-4; Senate 50-0

◆ HB 458 Karl Ohs

*Streamside Corridor and Riparian Management*

An act adding assistance with interagency coordination to the water policy duties of the Environmental Quality Council; temporarily requiring the Council to coordinate the compilation, evaluation, and dissemination of educational information related to best management practices for streamside corridors and riparian management; and providing a termination date.

Amending section 85-2-105, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 92-1; Senate 49-0

Third Reading Votes: House 97-2; Senate 50-0

◆HB 539 Paul Sliter

*Changes to Flathead Basin Commission Laws*

An act removing the requirement that the member from the Governor's staff appointed to the Flathead Basin Commission serve as the commission's executive director; allowing the commission to hire staff; eliminating the Flathead Basin Commission account; and providing an effective date.

Amending sections 2-15-213 and 2-15-215, MCA; and repealing section 75-7-306, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 66-32; Senate 49-0

Third Reading Votes: House 72-26; Senate 45-3

◆HB 596 Roger Somerville

*Water Quality Information and Limit Changes to Design/Construction Requirements*

An act incorporating use of new technology into the research and information responsibilities of the Department of Environmental Quality; requiring the department to make available for electronic access a compilation of updated water quality information; requiring rules restricting changes to design and construction criteria for 36 months

following department approval of certain water and waste systems or facilities; and providing an effective date.

Amending sections 75-5-212 and 75-6-103, MCA.

Committee Hearings: House Natural Resources  
Senate Natural Resources

Second Reading Votes: House 97-2; Senate 50-0

Third Reading Votes: House 94-4; Senate 50-0

Senate amended, House concurred, 95-4.

◆SB 72 Bob Keenan

*Revise Water Quality Laws*

An act generally revising the water quality, public water supply, and water and wastewater treatment operators laws; exempting certain water distribution systems from the requirement to use a certified operator; amending the nondegradation nitrate significance threshold for multifamily, public, and municipal sewage systems; amending public water supply laws by increasing the maximum administrative penalty; deleting the requirement to obtain approval to conduct certain activities in municipal watersheds; repealing provisions related to the Board of Environmental Review's control of certain funds; and providing an immediate effective date.

Amending sections 37-42-103, 37-42-302, 37-42-304, 37-42-308, 75-5-301, 75-6-109, and 75-6-112, MCA; repealing section 75-5-501, MCA.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 45-2; House 88-8

Third Reading Votes: Senate 40-9; House 95-5

House amended, Senate concurred, 48-0.

♣ SB 269 Daryl Toews

*Revise and Clarify County Water and Sewer Project Laws*

An act revising and clarifying the laws relating to the finance of county water and sewer districts; authorizing the levying of special assessments to pay costs of improvements; and providing an immediate effective date.

Amending sections 7-13-2221 and 7-13-2301, MCA.

Committee Hearings: Senate Local Government  
House Local Government

Second Reading Votes: Senate 48-0; House 87-9  
Third Reading Votes: Senate 48-0; House 88-12

House amended, Senate concurred, 50-0.

♣ SB 302 Daryl Toews

*Regional Wastewater Authority*

An act providing for the establishment of regional water and wastewater authorities; setting forth the purpose of the authorities as enabling public agencies to join together to secure and provide water for resale and other purposes or to join together for the transportation and treatment of wastewater; providing definitions; setting forth requirements for agreements between public agencies; prohibiting competing services by public agencies in an agreement; requiring outstanding bond indebtedness to be retired before a public agency may withdraw from an agreement; authorizing public agencies to provide funds, personnel, and services to regional water authorities, regional wastewater authorities, and regional water and wastewater authorities; authorizing agreements between public agencies and authorities; establishing an authority as a public body, corporate and politic; establishing requirements for the governing body of an authority; requiring meetings and an audit of an authority; establishing powers of an authority; authorizing the sale of bonds for constructing or acquiring water supply systems or for constructing or acquiring

wastewater transportation and treatment facilities; authorizing items to be included as costs of properties; providing that the bonds may be secured by trust indenture; requiring the establishment of a sinking fund; establishing enforcement provisions for bondholders; establishing a statutory mortgage lien in favor of bondholders; providing the requirement that the authority establish appropriate rates and charges for the use of services rendered; providing for refunding issued bonds; exempting bonds and bond interest from taxation; establishing that bonds issued by authorities are legal investments; providing that authorities are eligible for financing under state programs; and providing an immediate effective date.

Amending sections 17-5-1604, 75-5-1102, 75-6-202, 85-1-605, and 90-6-701, MCA.

Committee Hearings: Senate Finance and Claims  
House Appropriations

Second Reading Votes: Senate 49-0; House 95-3  
Third Reading Votes: Senate 48-1; House 97-3

House amended, Senate concurred, 50-0.

◆SB 499 Lorents Grosfield

*Revise Water Quality Act Per Federal Requirements*

An act amending the Water Quality Act to ensure consistency with federal requirements; amending nondegradation significance criteria; revising activities for which short-term exemptions from water quality standards may be authorized; amending nondegradation requirements for outstanding resource waters; providing for short-term turbidity standards; and providing an immediate effective date.

Amending sections 75-5-301, 75-5-308, 75-5-316, 75-5-317, and 75-5-401, MCA.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 49-0; House 84-15  
Third Reading Votes: Senate 46-3; House 83-15

House amended, Senate did not concur, 50-0.  
Free conference committee report adopted: Senate 45-4, House 67-32.

◆ SJ 3  Vicki Cocchiarella

*Encourage State Agency Adoption of BMPs to Protect Water Quality*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana recommending that state agencies serve as role models for the implementation and refinement of Best Management Practices to reduce nonpoint source pollution of Montana's waters; and recommending that relevant agencies report related progress and accomplishments to the Environmental Quality Council prior to the next legislative session.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 46-1; House 94-4  
Third Reading Votes: Senate 48-1; House 95-5

Failed

◆ HB 193  John Cobb

*Define Noxious Weed Seed as Water Pollutant*

An act clarifying that noxious weed seeds may be considered "pollution" pursuant to Montana's water quality laws.

Amending section 75-5-103, MCA.

Committee Hearing: House Agriculture

Tabled in House committee.

☛ HB 663 Hal Harper

*Develop Unified Reclamation Plan for Silver Creek Area*

An act creating local community development through Department of Natural Resources and Conservation grants for the restoration of watersheds; authorizing local Conservation Districts and local Watershed Restoration Councils to apply for watershed restoration grants; providing the department with rulemaking authority in administering grants; establishing the Watershed Restoration Development Account; authorizing Silver Creek watershed restoration as a model pilot project; appropriating up to \$2,170,000 from the tax revenue proceeds of any sale of energy generation assets; and providing an effective date.

Committee Hearing:

House Appropriations

Tabled in House committee.

☛ HB 666 Karl Ohs

*Revise Sanitation in Subdivisions Act*

An act generally revising the Sanitation in Subdivisions Act; establishing local programs regulating sanitation in subdivisions; creating a technical advisory council; requiring inspections prior to installation of sewage systems; requiring notification to subsequent purchasers of the conditions of subdivision approval; prohibiting the review and approval of water supplies and sanitary facilities in subdivisions by local units of government unless a local program has been approved by the Department of Environmental Quality; requiring the recording of a certificate of subdivision approval; clarifying the master plan and municipality exemptions; and providing applicability dates.

Amending sections 50-2-116, 75-5-305, 76-3-102, 76-3-501, 76-3-504, 76-3-511, 76-4-102, 76-4-104, 76-4-105, 76-4-106, 76-4-107, 76-4-108, 76-4-111, 76-4-121, 76-4-122, 76-4-123, 76-4-124, 76-4-125, 76-4-126, 76-4-127, 76-4-129, 76-4-130, 76-4-132, and 76-4-135, MCA; and repealing section 76-4-128, MCA.

Committee Hearing:

House Natural Resources

Tabled in House committee.

☛ SB 316 Linda Nelson

*Exempt Certain Home Heating Oil Tanks from Certain Fines*

An act eliminating tanks storing heating oil for on-premises use from the definition of "underground storage tank"; and providing an immediate effective date and a retroactive applicability date.

Amending section 75-11-503, MCA.

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.

☛ SB 433 Dorothy Eck

*Modify Local Authority Under Sanitation and Subdivision Law*

An act modifying and clarifying local board of health authority under the laws relating to sanitation in subdivisions; establishing requirements relating to inspection prior to review of sewage systems and installation of sewage systems; authorizing additional subdivision review by local boards of health; establishing procedures for halting construction of sewage disposal or water supply systems under certain conditions; requiring local board of health review of preliminary plans for onsite sewage disposal; authorizing local boards of health to assess fees to conduct duties under the laws relating to Sanitation in Subdivisions; and providing an applicability date.

Amending sections 50-2-116, 76-4-104, 76-4-107, 76-4-108, 76-4-125, and 76-4-128, MCA.

Committee Hearing:

Senate Public Health,  
Welfare and Safety

Tabled in Senate committee.

☞ SJ 17 Dorothy Eck

*Interim Study of Implementation of Sanitation in Subdivisions Act*

A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Environmental Quality Council study implementation of the Sanitation in Subdivisions statutes and requiring the Council to report to the Governor and the 57th Legislature on the Council's recommendations.

Committee Hearing:

Senate Natural Resources

Tabled in Senate committee.

- Water/Other -

Passed

☞ HB 51 Hal Harper

*Revise Drought Advisory Meeting Date and Report Deadline*

An act changing a meeting date requirement and the report deadline for the Drought Advisory Committee; and providing an immediate effective date.

Amending section 2-15-3308, MCA.

Committee Hearings:

House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

-232- Water

Second Reading Votes:  
Third Reading Votes:

House 95-4; Senate 49-0  
House 95-3; Senate 49-0

Failed

☛ HB 664 Hal Harper

*Negotiate for Acquisition of Former Montana Power Company Lands*

An act authorizing the Fish, Wildlife, and Parks Commission to acquire certain eligible lands for fishing, hunting, general recreation, public access, fish and wildlife habitat, and flood control purposes; restricting the development of acquired eligible lands; providing the commission with rulemaking authority; creating an eligible lands special revenue account; appropriating up to \$3 million from the tax revenue proceeds of any sale of energy generation assets; and providing an effective date and a termination date.

Committee Hearing:

House Appropriations

Tabled in House committee.

# Weed and Pest Control

Passed

♣HB 130 Bob Story

## *Extend Termination Date for the Waste Pesticide Program*

An act extending the termination date for the Waste Pesticide and Pesticide Container Collection, Disposal, and Recycling Program; eliminating the voluntary waste pesticide reporting system; providing for reversion of revenue upon program termination; submitting the termination date extension to the electorate; providing a contingent voidness provision; and providing effective dates.

Amending section 14, chapter 465, Laws of 1993; repealing section 80-8-111, MCA.

Committee Hearings:

House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Votes:

House 96-4; Senate 50-0

Third Reading Votes:

House 98-2; Senate 49-0

Senate amended, House concurred, 96-2.

♣HB 221 Cliff Trexler

## *Revise Responsibility for Weed Control Bordering Road*

An act clarifying responsibility for weed control along a state or county highway or road by providing that a landowner who owns property bordering a state or county highway or road and does not wish to enter a voluntary agreement for weed control, but who objects to weed control measures, is responsible for alternative weed control on that property; providing penalties for a landowner who objects to weed district control measures but does not provide alternative weed control; requiring the

district weed board to provide weed control if the landowner does not provide alternative weed control within 30 days after notification; and providing effective dates.

Amending section 7-22-2153, MCA

Committee Hearings:	House Agriculture Senate Agriculture, Livestock and Irrigation
---------------------	--

Second Reading Votes:	House 96-3; Senate 50-0
-----------------------	-------------------------

Third Reading Votes:	House 93-5; Senate 48-0
----------------------	-------------------------

Senate amended, House concurred, 94-4.

◆HB 391 Don Hedges

*Generally Revise the Pesticide Laws*

An act generally revising the pesticide laws; directing that civil penalties collected pursuant to section 80-8-306, MCA, be deposited into a special revenue account for pesticide cleanup; allowing for electronic verification of a restricted pesticide purchaser's license or permit; allowing the Department of Agriculture to adopt rules concerning dealer verification of a restricted pesticide purchaser's license or permit; and providing an effective date.

Amending sections 80-8-116 and 80-8-207, MCA.

Committee Hearings:	House Agriculture Senate Agriculture, Livestock and Irrigation
---------------------	--

Second Reading Votes:	House 97-2; Senate 44-6
-----------------------	-------------------------

Third Reading Votes:	House 97-1; Senate 43-5
----------------------	-------------------------

♣SB 91 Chuck Swysgood

*Extend Fishing Access Site Operation and Maintenance Program*

An act extending for 4 years the termination date on the requirement that at least 50 percent of fishing license fees reserved for fishing access sites be allocated for the operation and maintenance of fishing access sites and stream, river, and lake frontages and be prioritized and expended for weed control, streambank restoration, and general operation and maintenance; requiring a report on program success to the 58th Legislature; and providing an immediate effective date.

Amending sections 2 and 4, chapter 428, Laws of 1995.

Committee Hearings: Senate Fish and Game  
House Agriculture

Second Reading Votes: Senate 48-0; House 96-2

Third Reading Votes: Senate 50-0; House 97-2

♣SB 164 Ken Mesaros

*Revise Use of Noxious Weed Trust Fund and Provide Alternative Funding*

An act revising statutes related to noxious weed management and providing alternative funding sources; transferring \$1,125,000 annually from the highway nonrestricted account to noxious weed management programs; directing the proceeds to the Noxious Weed Management Trust fund; revising the membership of the Noxious Weed Management Advisory Council to include county representatives; increasing the cap for the Noxious Weed Management Trust from \$2.5 million to \$10 million; and providing an effective date and a termination date.

Amending sections 80-7-805, 80-7-810, 80-7-811, and 80-7-814, MCA.

Committee Hearings: Senate Finance and Claims  
House Agriculture

Second Reading Votes:

Senate 49-0; House 94-2

Third Reading Votes:

Senate 49-0; House 98-1

House amended, Senate concurred, 50-0.

Failed

☛ HB 193 John Cobb

*Define Noxious Weed Seed as Water Pollutant*

An act clarifying that noxious weed seeds may be considered "pollution" pursuant to Montana's water quality laws

Amending Section 75-5-103, MCA.

Committee Hearing:

House Agriculture

Tabled in House committee.

☛ HB 345 Bob Raney

*Certified Weed Free Sand and Gravel on Road Projects*

An act generally revising the laws relating to noxious weeds in road construction materials; requiring the Department of Transportation to use only materials that are free of noxious weeds in the construction and maintenance of highways; requiring the operator of certain opencut-mining operations to have a noxious weed management plan in place before mining can begin; and providing a delayed effective date.

Amending sections 82-4-431 and 82-4-432, MCA.

Committee Hearings:

House Agriculture  
Senate Agriculture,  
Livestock and Irrigation

Second Reading Vote:  
Third Reading Vote:

House 92-6  
House 92-8

Tabled in Senate committee.

## June 1999 Special Session

### ♣SB 1 Mack Cole

#### *Ratify Water Rights Compact between the Crow Tribe and the State of Montana*

An act ratifying a reserved water rights compact between the Crow Tribe and the State of Montana; and providing an immediate effective date.

Committee Hearings: Senate Natural Resources  
House Natural Resources

Second Reading Votes: Senate 44-5; House 81-17

Third Reading Votes: Senate 45-5; House 81-17

House amended, Senate concurred, 40-5.

### ♣HB 1 Jay Stovall

#### *Implement Crow Water Compact and Appropriate Coal Tax Settlement Funds*

An act implementing the Crow-Montana reserved water rights compact; providing for the payment of settlement funds into an escrow fund; establishing conditions to be contained in an escrow agreement under which the funds may be held and be paid to the Crow Tribe in satisfaction of the state's obligations under the compact and in consideration of the tribe's agreement to release certain claims against the state; authorizing the Governor and Attorney General to enter into an agreement with the Crow Tribe and the United States to settle certain claims and under which the state may make certain payments and pay to the Crow Tribe the future proceeds of any production taxes levied under state law on the production of coal owned by the United States in trust for the Crow Tribe; appropriating funds to the Department of Natural Resources and Conservation; and providing an effective date.

Committee Hearings: House Appropriations  
Senate Finance and Claims

Taken from House committee and placed on 2nd reading.

Second Reading Votes:	House 80-18; Senate 49-0
Third Reading Votes:	House 80-18; Senate 49-0

# Index

## House Bills

HB 1	239
HB 6	41, 205
HB 7	41, 171
HB 8	42, 205
HB 10	42
HB 12	28, 42
HB 17	193
HB 20	66
HB 23	28
HB 26	83
HB 28	111
HB 29	43, 206
HB 35	44, 151, 206
HB 40	103
HB 51	232
HB 58	182
HB 63	29, 56
HB 66	44
HB 74	44, 222
HB 80	45, 152
HB 89	45, 182
HB 91	56, 125
HB 92	46, 183, 207
HB 93	66
HB 95	212
HB 96	152
HB 102	161
HB 110	47, 223
HB 113	192
HB 117	57
HB 120	47, 171
HB 130	234
HB 142	63
HB 158	183
HB 159	187

HB 160	187
HB 161	187
HB 162	188
HB 163	188
HB 164	188
HB 165	189
HB 169	196
HB 174	31
HB 177	36
HB 178	36
HB 183	172
HB 193	229, 237
HB 194	48
HB 195	215
HB 196	33
HB 197	57
HB 198	48
HB 205	114, 217
HB 211	33
HB 215	67
HB 221	153, 234
HB 224	142
HB 225	103, 143
HB 232	1
HB 245	48, 114
HB 248	126, 216
HB 267	84
HB 270	126
HB 273	58, 126, 143
HB 284	2, 115, 223
HB 285	84
HB 286	58, 144
HB 288	127
HB 291	85
HB 300	116
HB 305	37
HB 314	67, 136
HB 315	85, 144
HB 316	136
HB 317	145

HB 330	145
HB 331	116, 184
HB 332	86
HB 337	34
HB 340	169
HB 341	137, 172
HB 344	86, 161
HB 345	162, 175, 237
HB 346	64
HB 351	127
HB 352	153
HB 353	117, 137
HB 354	112
HB 355	112
HB 363	108, 128, 146
HB 373	2, 117
HB 379	68
HB 380	87
HB 385	14, 169
HB 387	69
HB 389	69
HB 391	235
HB 392	49, 224
HB 394	39
HB 397	40
HB 398	87, 162
HB 403	170
HB 404	34
HB 407	216
HB 417	104
HB 420	200
HB 423	128
HB 426	59
HB 427	59, 88
HB 429	212
HB 434	128
HB 435	70
HB 439	146
HB 440	14, 88
HB 441	129, 166

HB 444	3
HB 453	15, 189
HB 457	30, 60
HB 458	105, 224
HB 463	15, 89
HB 464	15, 89
HB 465	16, 90
HB 466	16, 90
HB 467	105, 138
HB 478	70
HB 485	106, 154
HB 486	185
HB 487	190
HB 488	91, 146, 163
HB 491	17, 91
HB 499	147
HB 503	17, 130
HB 505	130, 148
HB 513	4, 168
HB 520	176
HB 533	71
HB 534	91
HB 539	50, 225
HB 548	92
HB 550	93
HB 559	167
HB 564	148, 163
HB 569	30
HB 571	217
HB 573	113
HB 574	27, 190
HB 586	117, 138
HB 591	93
HB 594	94
HB 596	225
HB 600	60, 191
HB 610	176
HB 616	50
HB 617	51, 185
HB 622	130

HB 626	139
HB 629	71, 140
HB 633	94, 109, 148
HB 635	164
HB 643	17, 95
HB 644	51, 181
HB 647	51, 72, 207
HB 658	200
HB 661	201
HB 663	177, 230
HB 664	95, 233
HB 666	131, 230
HB 671	170
HJ 3	173, 186
HJ 4	73
HJ 6	208
HJ 7	165
HJ 8	165, 220
HJ 10	166
HJ 11	73, 220
HJ 17	74, 221
HJ 19	106, 154
HJ 26	107, 155
HJ 30	31
HJ 33	74
HJ 34	111
HJ 39	177
HR 2	4

#### Senate Bills

SB 1	239
SB 7	4, 155
SB 9	221
SB 18	5
SB 29	218
SB 40	39, 218
SB 44	102, 140
SB 48	52, 156
SB 49	209

SB 58	96
SB 59	74
SB 64	24, 63
SB 72	226
SB 87	140
SB 91	75, 156, 236
SB 95	118
SB 96	119
SB 97	119
SB 98	213
SB 121	18, 131
SB 123	197
SB 125	197
SB 126	194
SB 141	6, 27, 219
SB 147	19
SB 164	236
SB 166	120, 194
SB 171	76
SB 174	24
SB 177	19, 132
SB 178	6, 157
SB 180	132
SB 181	20
SB 182	20
SB 183	7
SB 187	7
SB 189	121
SB 196	8, 76
SB 207	121
SB 216	213
SB 220	53, 219
SB 235	214
SB 239	195
SB 241	77
SB 248	210
SB 249	203
SB 252	25
SB 253	25
SB 254	25

SB 255	26
SB 265	173
SB 269	122, 227
SB 276	157
SB 285	178
SB 286	133
SB 293	77
SB 297	31, 61
SB 298	61, 178, 211
SB 302	227
SB 311	20, 204
SB 313	62, 178
SB 314	186
SB 316	191, 231
SB 318	37
SB 321	122, 195
SB 324	96
SB 327	21
SB 329	149
SB 334	78
SB 335	97
SB 336	97
SB 337	98
SB 338	78
SB 339	98
SB 340	99
SB 341	99
SB 342	8, 158
SB 343	179
SB 344	180
SB 345	174
SB 350	133
SB 355	141
SB 361	9, 79
SB 362	174
SB 366	198
SB 371	214
SB 374	196
SB 376	180
SB 381	80

SB 383	22, 134
SB 384	10, 81
SB 391	38
SB 392	22, 100
SB 394	11, 53
SB 401	11, 201
SB 406	35
SB 407	134
SB 408	38
SB 409	35
SB 411	54, 107, 158
SB 412	108, 159
SB 413	65
SB 418	100, 150, 222
SB 421	141
SB 423	123
SB 429	123, 159
SB 430	202
SB 433	135, 198, 231
SB 439	81
SB 445	101, 150
SB 454	124, 160
SB 458	82
SB 461	113
SB 462	54, 168, 192
SB 464	113, 164
SB 465	191
SB 468	215
SB 474	102
SB 492	175, 209
SB 499	228
SB 502	181, 210
SB 514	109
SB 515	110
SB 528	23
SB 530	203
SB 532	12
SJ 3	55, 229
SJ 11	13
SJ 17	135, 232

SJ 18 ..... 64  
SJ 20 ..... 83  
SJ 21 ..... 13, 124

.





300 copies of this public document were published at an estimated cost of \$7.20 per copy, for a total cost of \$2,160.00, which includes \$2,160.00 for printing and \$.00 for distribution.

*Printed on Recycled Paper*